

**206 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-46973-2022

Date of Decision: 09.02.2023

**SANTOSH DEVI AND ANOTHER ... PETITIONERS
VS.
STATE OF HARYANA AND ANOTHER .. RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.Shokeen Singh Verma, Advocate
for the petitioners.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

On 14.10.2022, the following order was passed:-

“The petitioners are seeking anticipatory bail in the case bearing FIR No.200 dated 10.07.2020 under Sections 498-A, 304-B, 328, 323 and 34 IPC registered at Police Station Bwani Khera, District Bhiwani.

Learned counsel for the petitioners contend that the marriage of son of the petitioners was solemnized with the deceased on 28.10.2018. At the earlier instance, the petitioners had approached this Court for anticipatory bail, but the same was dismissed as withdrawn with liberty to avail the remedy for pre-arrest bail before the Court of Sessions/trial Court at the first instance. He further submit that there are general and vague allegations in the FIR. The petitioners were found innocent during the course of investigation and they have been summoned under Section 319 Cr.P.C.

Notice of motion.

Mr. Zorawar Singh Chauhan, DAG, Haryana, accepts notice on behalf of the respondent No.1-State and has not disputed the fact that the petitioners were found innocent during the course of investigation and next date of hearing before the trial Court is stated to be 10.11.2022.

Adjourned to 19.01.2023.

Meanwhile, it is directed that the petitioners shall surrender before the trial Court within a period of two weeks and on their doing so, they shall be admitted on interim bail to the satisfaction of that Court . This order is further subject to the condition that the petitioners shall comply with the provisions of Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners contend that in pursuance of interim directions issued by this Court, the petitioners have surrendered in the trial Court on 21.10.2022 and have been admitted on interim bail. Furthermore, on 19.01.2023, another petition bearing CRM-M-47461-2022 which was instituted by the petitioners in duplicate was dismissed as withdrawn subject to payment of costs of Rs.10,000/- as costs to be deposited with Punjab and Haryana High Court Employee's Welfare Association Fund, within a period of seven days.

Cost has been deposited. Copy of the receipt and copy of the order dated 21.10.2022 vide which the petitioners had surrendered in the trial Court have been placed on record.

Learned State counsel has not disputed the aforesaid factual aspects.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioners. Accordingly, order dated 14.10.2022, vide which the petitioners have been granted interim bail, is made absolute. However, the petitioners are directed to furnish fresh bail/surety bonds to the satisfaction of the trial Court within a period of one month.

Petition is allowed.

09.02.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No