

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

CRM-M-44666-2023 (O&M)

Date of decision : 09.10.2023

Shimla Devi

...Petitioner

Versus

State of Punjab and Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab
for the respondents.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.53 dated 28.04.2023, under Section 306 of IPC, registered at Police Station Kotwali, Nabha, District Patiala.

(2) Above FIR was registered on the basis of statement made by complainant-Ramesh Chand with the allegations that he is running a shop for selling wooden stairs, ropes etc. He has two sons & one daughter. One son-Kaushal Chand is married with Geeta Rani daughter of late Subhash Chand Jindal, from the past 14 years. His daughter in law Geeta Rani used to quarrel with the complainant and his son on petty matters. They kept silent due to children and that better sense will prevail on her. The complainant's son was beaten by his daughter in law, when he tried to stop her from manhandling

his son, during scuffle Geeta Rani received injury on her head and was admitted to Civil Hospital, Nabha. She called her parental house, who after coming to the hospital manhandled the complainant. Geeta Rani was discharged from the hospital and came to complainant's house, on coming she gave beatings to his son Kaushal Chand. Geeta Rani, her mother Shimla Devi and two brothers were asking for Rs.15 lacs and retain their children and they will take Geeta Rani to Sangrur. During this, his son Kaushal Chand made a movie on mobile phone by saying that he has been insulted by his wife, her mother Shimla Devi & his two brother in laws and committed suicide by consuming Sulfas at 12 midnight. Geeta Rani, Shimla Devi and two brother in laws, namely Manoj and Deepak are responsible for the suicide of his son.

(3) This Court vide order dated 06.09.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that matter has been compromised between the parties i.e. petitioner as well as respondent No.2 at their own level.

Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, DAG, Punjab accepts notice on behalf of respondent No.1 and seeks time to have instructions and/or file written response in the matter.

Mr. Manish Beniwal, Advocate has filed Power of Attorney on behalf of respondent No.2.

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In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit her to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and her custodial interrogation is not required.

(5) Learned State Counsel, on instructions from ASI Baljit Singh submits that petitioner has joined investigation and her custodial interrogation is not required.

(6) In view of above, interim order dated 06.09.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

(9) Disposed off accordingly.

09.10.2023

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**(MAHABIR SINGH SINDHU)
JUDGE**

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