

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

[202]

CRM-M-47021-2022**Date of Decision:07.02.2023**

Manisha Ranjan Patel

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Vishal Sharma Haritwal, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

Through instant petition under Section 438 of Code of Criminal Code, 1973, the petitioner is seeking anticipatory bail in FIR No.354 dated 11.09.2022 (Annexure P-3) registered at Police Station Badshahpur, District Gurugram, Haryana under Sections 304-B and 34 IPC.

This Court vide order dated 14.10.2022 granted interim protection to the petitioner. The relevant extracts of which read as:

“Instant petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.354, dated 11.09.2022, under Sections 304-B, 34 IPC, registered at Police Station Badshahpur, District Gurugram, Haryana.

It has been contended by counsel for the petitioner that marriage of brother of the petitioner was solemnized with Nisha Kumari on 16.02.2020 who unfortunately committed suicide on 11.09.2022. He submits that only in order to implicate the maximum number of family members of in-laws of the deceased, the petitioner has been named in the FIR. He has submitted that petitioner is an un-

married sister-in-law of the deceased and she is a student of B.Ed. He further submits that by no stretch of imagination it can be said that the petitioner has any complicity for the offence alleged. He further submits that the petitioner has no criminal antecedents and no case for her custodial interrogation is made out, however, she is ready to join the investigation and abide by all the terms and conditions of the anticipatory bail if this Court considers her request for granting the same.

Issue notice of motion for 07.02.2023.

On the asking of the Court, Mr.B.S.Virk, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. She shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C.:-

“(i) That the petitioner shall make herself available for interrogation by a police officer as and when required to do so;
(ii) That the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
(iii) That the petitioner shall not leave India without prior permission of the Court.”

State is directed to file status report on or before the next date of hearing.”

Learned counsel for the petitioner would submit that the petitioner has joined the investigation and fully cooperated the Investigating Officer. He further undertakes that petitioner would continue to join investigation as and when summoned by Investigating Officer.

Learned counsel for the State, on instructions from ASI Charan Singh does not dispute the statement made by learned counsel for the petitioner and further submits that petitioner has joined investigation and his presence, at this stage, is no more required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 14.10.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

(JAGMOHAN BANSAL)
JUDGE

07.02.2023
Anjal

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>