

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-48436-2022 (O&M)
Date of order: 05.07.2023

Tarulata Dash @ Taro

.....Petitioner(s)

Vs.

State of Punjab

.....Respondent(s)

CORAM: HON’BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Pankaj Khullar, AAG Punjab.

Mr. J.S. Brar, Advocate
for the complainant.

Nidhi Gupta, J.

Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.111 dated 03.04.2022 registered under Sections 363 and 366-A IPC and Section 120-B IPC added later on at Police Station City Faridkot, District Faridkot.

On 29.11.2022, this Court had passed the following order:-

“Petitioner is seeking anticipatory bail in case bearing FIR No. 111 dated 03.04.2022, under Sections 363/366-A IPC (Section 120-B added later on), registered at Police Station City Faridkot, District Faridkot.

Short reply by way of affidavit of Jasmeet Singh, Deputy Superintendent of Police, Sub Division Faridkot, District on behalf of the State has been placed on record.

Learned counsel for the petitioner contends that the victim is aged about 16 years and no allegation has been levelled against

the petitioner who is the mother of Pinku Dass with whom the victim has been allegedly eloped. The name of the petitioner has not been mentioned in the application under Section 156(3) Cr.P.C (Annexure P-3). The petitioner has been arraigned as an accused on the basis of the supplementary statement of the complainant i.e. the father of the victim which has been recorded after a period of 4 ½ months. Furthermore, Pinku Dass, the son of the petitioner is married. The daughter-in-law of the petitioner along with grand children are residing with the petitioner who is looking after them. The husband of the petitioner has already been taken in custody.

Learned State counsel and learned counsel for the complainant have opposed the bail application on the score that the victim is yet to be recovered.

Adjourned to 16.03.2023.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Thana Singh states that in terms of the order passed by co-ordinate Bench of this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 29.11.2022 granting interim bail to the petitioner is made **absolute**.

However, the petitioner shall abide by following conditions:-

- i) He shall join the investigation as and when required by the Investigating Officer.

- ii) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- iii) He shall not leave the limits of this country without prior permission of the Court.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

05.07.2023
Sunena

(Nidhi Gupta)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No