

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

(224)

**2023:PHHC:135366
CRM-M-47365-2023
Date of Decision: 17.10.2023**

Seema

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU.

Present:- Mr. Sushil Saini, Advocate for the petitioner.

Mr. C.L. Pawar, Addl. A.G., Punjab.

MAHABIR SINGH SINDHU.J (Oral)

1. Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of anticipatory bail to the petitioner in FIR No.150 dated 24.08.2023, under Sections 306, 506 IPC, registered at Police Station Lopeke, District Amritsar.
2. Above FIR was registered on the basis of statement made by one Gurmeet Kaur, wherein it was stated that she was married with Shamsher Singh in the year 2008. It was alleged that her husband had illicit relations with the petitioner, who demanded money from the husband of complainant and used to harass him. Thereafter husband of the complainant consumed some poisonous substance due to which he died.
3. This Court, on 20.09.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter-alia that from bare reading of the FIR, there is no allegation that petitioner has instigated or abetted the commission of suicide by the husband of complainant in any manner.

Notice of motion for 17.10.2023.

In the meanwhile, petitioner shall join

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

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Hardev Singh present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 20.09.2023 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. In case it is found that there is recurrence on the part of the petitioner, the State would move an application for recalling of this order.

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.

(MAHABIR SINGH SINDHU)
JUDGE

17.10.2023

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