

S. No.2372023:PHHC:153162

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-47716 of 2023 (O&M)

Date of Decision:01.12.2023

Sukhwinder Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ramnish Puri, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

On 21.09.2023, the following order was passed by this Court:-

“Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail in:-

FIR No.	Dated	Police Station	Section(s)
0113	01.08.2023	Meharban, District Ludhiana	306, 34 IPC

Counsel for the petitioner contends that petitioner is the mother-in-law of deceased, Vijay. He submits that Vijay had a matrimonial dispute with petitioner’s daughter, Priya. He asserts that as per the allegations in the FIR when Priya had come to her parental home, she refused to return back with her husband on 25.07.2023 and as her husband felt insulted, he committed suicide on 31.07.2023. He submits that no overt or covert act is to be attributed to the petitioner. He submits that although a suicide note has been produced, but its veracity is yet to be established as it is unsigned and written in GURMUKHI on a page torn from a school notebook. He submits that essential ingredients of abetment under Section 107 IPC are not satisfied and offence under Section 306 IPC is not made out against the petitioner. He submits that the petitioner, who is a middle aged widow is prepared to join the investigation.

Notice of motion.

On asking of the Court, Mr.Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent – State.

List on 01.12.2023.

Petitioner is directed to appear before the Investigating Officer on 06.10.2023 at 10:00 A.M. at Police Station Meharban, District Ludhiana, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, she shall be admitted to interim bail on furnishing

*personal and surety bonds to the satisfaction of Arresting/Investigating Officer.
He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.*

Today, it is informed by learned State Counsel, on instructions from ASI Prem Singh, that in compliance of the order dated 21.09.2023, petitioner has since joined the investigation and he is no longer required for any investigation.

In view of the afore-said statement, order dated 21.09.2023 whereby interim anticipatory bail was granted to the petitioner in the FIR in question, is hereby made absolute. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and make compliance of the conditions envisaged under Section 438(2) Cr.P.C.

Disposed of.

December 01, 2023

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Whether Speaking/reasoned

Whether Reportable

(DEEPAK GUPTA)

JUDGE

Yes/No

Yes/No