

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

217-3

CRM-M-57685-2023

Date of Decision: December 15, 2023

Kulwinder Kaur

.....Petitioner(s)

Vs.

State of Punjab and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Deepak Arora, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab

VIVEK PURI J. (ORAL)

1. On 17.11.2023, the following order was passed:-

“1. Present petition is under Section 438 Cr.P.c. for seeking anticipatory bail to the petitioner in case FIR No.0109 dated 17.09.2023 registered under Sections 323,341/406/498-A/34 IPC at Police Station Phase-11, District SAS Nagar.

2. Learned counsel for the petitioner contends that the marriage of the son of the petitioner was solemnized with the complainant on 02.01.2018. The complainant is working as a Lecturer in MCM DAV College, Chandigarh. The matrimonial dispute has arisen out on account of temperamental differences between the couple. The allegations with regard to demand of dowry are false. The allegations with regard to beatings have been attributed against the son of the petitioner. However, it has been alleged that the petitioner had associated with him. The allegations against the petitioner are also to the effect that she had been instigating the husband of the complainant. Jaswant Singh, the husband of the petitioner has been granted interim bail by this Court in terms of order dated 14.11.2023 passed in CRM-M-56975-2023.

3. Notice of motion.

4. Ms. Ruchika Sabharwal, DAG Punjab accepts notice on behalf of respondent-Sate.

5. Adjourned to 15.12.2023.

6. Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that she joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C. ”

7. To be heard alongwith CRM-M-56975-2023.”

2. As per report of the Mediator in the connected petition bearing CRM-M-58372-2023, despite best efforts, the parties could not reach at any amicable settlement.

3. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

4. Learned State counsel, on instructions, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.

5. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 17.11.2023, vide which the petitioner has been granted interim bail, is made absolute.

6. Petition is allowed.

(VIVEK PURI)
JUDGE

December 15, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No