

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

CRM-M-4078-2024
Date of decision: 13.03.2024

.....Petitioner

.....Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Mr. Ramandeep Singh, Sr. DAG Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.89 dated 21.10.2023 under Sections 498A, 406, 494 IPC and Sections 306, 116 of IPC added later on registered at Police Station Balianwali, District Bathinda.
2. Counsel for the petitioner submits that the petitioner was granted interim bail as per the order dated 25.01.2024 passed by this Court.

The relevant portion of the aforesaid said order reads as under:-

XXXX

“Present case was registered at the instance of Paramjit Kaur-complainant with the allegations that her marriage was solemnized with Gurpreet Singh about four years ago. After her marriage her father-in-law Rajinder Singh, her mother-in-law Jaswinder Kaur and her brother-in-law Akashdeep Singh and present petitioner-Sarabjit Kaur sister-in-law used to humiliate her and demand dowry. Her husband was serving in Indian Army. The complainant came to know that her husband has solemnized second marriage on 08.09.2023 with another girl. The husband of the complainant when came home, admitted his guilt and compromise was effected in the Panchayat and thereafter, he again left for his duty on 15.09.2023. After few days the complainant went to the unit of her husband and came to know that he had already gone on leave and she went to the house of her in-laws. After altercation with her husband, she consumed some poisonous substance.

Learned counsel for the petitioner inter alia contends that the complainant is alive and the petitioner is married sister-in-law of the complainant. She is residing in her matrimonial home and has nothing to do with the matrimonial dispute between her brother and the complainant. Her brother is employed in Indian Army and has already been released on regular bail. The petitioner is ready to join the proceedings.

Notice of motion.

On advance notice, Ms. Himani Arora, AAG, Punjab appears on behalf of the State and seeks time to file status report.

Adjourned to 13.03.2024.

In the meanwhile, the petitioner is directed to join investigation within ten days and in the event of arrest, she shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bonds/surety, and also subject to the following conditions”

3. Counsel for the petitioner further submits that the petitioner has joined the investigation in compliance of the aforesaid order dated 25.01.2024 passed by this Court. He further submits that petitioner is married and living separately and has no role into the matrimonial life of her brother and complainant. Co-accused of the petitioner namely Rajinder Singh-husband and Jaswinder Kaur-mother-in-law of the complainant has been arrested and they have been granted regular bail by Additional Sessions Judge, Bathinda vide order dated 16.11.2023.

4. Learned counsel appearing on behalf of the respondent-State, on instructions from ASI Gursahib Singh, confirms that the petitioner has joined investigation and also contends that his further custodial interrogation is not required. Status report has been filed by way of affidavit of Rahul Bhardwaj, PPS, Deputy Superintendent of Police, Sub-Division Maur, District Bathinda on behalf of respondent-State of Punjab and the same is taken on record. Copy thereof has been supplied to the counsel for the petitioner.

5. In view of the reasons recorded in the order dated 25.01.2024 and keeping in view the fact that the petitioner has joined investigation, her further

custodial interrogation is not required by the Investigating Agency, the present

petition is allowed and the order dated 25.01.2024 passed by this Court, granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

6. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

7. Liberty is reserved in favour of the State/complainant to move for cancellation/recall of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

(HARPREET KAUR JEEWAN)
JUDGE

13.03.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No