

CRM-M-18477-2024 -1-

2024:PHHC:067346



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

203

CRM-M-18477-2024

Date of Decision: 14.05.2024

Manjit Kaur @ Sundra

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. J.S. Bhinder, Advocate for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. Amit Bansal, Advocate for the complainant.

NIDHI GUPTA, J. (ORAL)

The petitioner has filed the present 1st petition under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No. 10 dated 02.03.2024 (Annexure P-1) registered under Section 306 and 34 IPC at Police Station Dharamgarh, District Sangrur.

On 16.04.2024, when this case was listed for hearing, following order was passed by this Court:-

“Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.10 dated 02.03.2024, under Sections 306, 34 IPC, registered at Police Station Dharamgarh, District Sangrur.

Learned counsel for the petitioner inter alia submits that the petitioner is the mother-in-law of the deceased. Present FIR was registered on the basis of statement of the father of the deceased. Learned counsel states that the



deceased was married to the son of the petitioner ten years prior to the date of incident viz. 02.03.2024. Three children were born out of the said wedlock, who are currently in the care and custody of the petitioner. Learned counsel states that the allegations made by the complainant in the present FIR are false and fabricated as no complaint of any kind was ever made by the deceased during her 10 years marriage with the son of the petitioner.

Notice of motion.

Mr. Kunwarbir Singh, AAG, Punjab on behalf of respondent-State and Mr. Amit Bansal, Advocate has put in appearance on advance notice issued by the Registry and oppose the prayer made in the present petition.

Learned counsel for the complainant submits that about 5-6 months before the incident, the deceased had informed the complainant that she was being abused and beaten by the petitioner and her family.

To controvert the said submission, learned counsel for the petitioner submits that no medical record in respect of the said allegation of beatings is available on record and even no complaint whatsoever was filed by the deceased or the complainant in this regard before any authority.

Learned counsel for the State informs that there are three accused named in the present case i.e. the petitioner/mother-in-law, husband and brother-in-law of the deceased. Learned counsel also informs that as per the Post Mortem Report, the cause of death of the deceased is asphyxia due to hanging. The chunni, with which the deceased had committed suicide, has been recovered. It is further informed that the incident took place in the matrimonial home of the deceased.

Learned counsel for the petitioner undertakes that the



petitioner will join the investigation and co-operate with the Investigating Agency.

Adjourned to 14.05.2024.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of her arrest, she shall be released on interim bail on her furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required ;*
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender her passport, if any.*

Meanwhile, State counsel is directed to file fresh affidavit/status report as to the exact role of the petitioner alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

Learned counsel for the petitioner submits that in compliance of the order dated 16.04.2024, passed by this Court, the petitioner has joined the investigation.

Status report dated 14.05.2024 filed by way of affidavit of Sh. Prithvi Singh, Deputy Superintendent of Police, Sub Division, Dirba on behalf of respondent-State in compliance of order dated 16.04.2024, is



taken on record. A copy thereof, has been supplied to learned counsel for the petitioner.

On instructions from ASI Narinder Singh, learned State counsel submits that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation on 21.04.2024; and is co-operating with the investigating agency, and no further interrogation is required, at this stage. This fact has also been mentioned in para 6 (at page 8) of the aforesaid status report.

In view of the above, the order dated 16.04.2024 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

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.

The petition stands disposed of.

14.05.2024
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(NIDHI GUPTA)
JUDGE

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