



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-18616-2024

Date of decision: 05.09.2024

Nihalo Bai

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Ravinder Kaur Manaise, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.33 dated 01.06.2019 under Sections 302, 34 of the Indian Penal Code, 1860, registered at Police Station Amir Khas, District Fazilka.

2. On 18.04.2024, learned counsel for the petitioner had made the following submissions:-

“Learned counsel for the petitioner, inter alia, contends that admittedly the marriage of the deceased with the son of the petitioner stood dissolved under Section 13-B of the Hindu Marriage Act, prior to the occurrence in question; the deceased consumed poison in her parental house and hence, the petitioner could not in any manner be involved in her unnatural death. It has further been submitted that as many as three cancellation reports were prepared and filed by the investigating agency before the trial Court concerned, however, they were sent back for further investigation.”

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3. Thereafter, vide order dated 23.05.2024, the petitioner was directed to surrender before the learned Trial Court within ten days, whereupon she was to be admitted on interim bail on her furnishing bail bonds to the satisfaction of the learned Trial Court.

4. Learned counsel for the petitioner submits that in compliance of order dated 23.05.2024, the petitioner has appeared and surrendered before the learned Trial Court, and thereafter released on interim bail vide order dated 28.05.2024. In support, learned counsel has placed on record a copy of order dated 28.05.2024 of the learned Trial Court wherein the said fact stands confirmed.

5. Learned State counsel, on instructions from ASI Gurmej Singh, does not dispute the factum of the petitioner having appeared and surrendered before the learned Trial Court, and thereafter released on bail.

6. In view of the above, the petition is allowed and interim order dated 23.05.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.

05.09.2024

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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