

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-26882-2023 (O&M)
Date of Decision: 15.03.2024

PREM LATA JOSHI

...Petitioner

Versus

STATE OF UT CHD

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Arnav Kumar, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, APP, UT, Chandigarh.

Mr. Abhishek Sharma, Advocate
for the complainant.

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.0014 dated 21.03.2023 registered under Sections 406, 498-A IPC at Women Police Station Chandigarh.
2. Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of the complainant on account of a matrimonial dispute between the parties. He further contends that the petitioner is mother-in-law of the complainant. He submits that now the matter stands settled between the parties and written compromise has been executed between son of the petitioner and complainant. Copy of the compromise deed has been submitted in Court today in connected petition i.e. CRM-M-27954-2023.
3. On 26.05.2023, the Coordinate Bench of this Court passed the

following order:-

“This is a petition for grant of pre-arrest bail to the petitioner in case FIR No.0014 dated 21.03.2023 under Sections 406, 498-A IPC registered at Police Station, Women Police Station, Chandigarh.

2. Learned counsel for the petitioner contends that the petitioner is mother-in-law of the complainant, and the allegations levelled against her are vague and general in nature. The trial Court granted her interim bail, but the same was not confirmed only on account of stated non-cooperation in getting the alleged dowry articles recovered. As per settled law, mere non-recovery of the disputed articles of dowry, cannot be a ground to decline bail to the petitioner.

3. Notice of motion.

4. Ms. Simsi Dhir Malhotra, APP for UT Chandigarh, accepts notice on behalf of the respondent-State.

5. Adjourned to 11.10.2023.

6. In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest she shall be released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438(2) Cr.P.C.”

4. Learned counsel for the petitioner further contends that the petitioner had joined the investigation in pursuance to the order dated 26.05.2023 passed by the Coordinate Bench of this Court.

5. Learned counsel appearing on behalf of the respondent-State on instructions from concerned Investigating Officer confirms that the petitioner has joined the investigation.

6. Keeping in view the reasons recorded in the order dated 26.05.2023 and keeping in view the fact that the petitioner has joined investigation, her custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 26.05.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

7. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

8. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

15.03.2024

P.Bhatt	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No