



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-30404-2024 (O&M)

Date of Decision: 13.08.2024

Kirna Rani and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gopal Singh Nahel, Advocate for the petitioners.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

Mr. Amitoj Singh Advocate for
Mr. Aminder Singh, Advocate for the complainant.

HARPREET KAUR JEEWAN, J (ORAL)

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973, for grant of anticipatory bail to the petitioner in case FIR No.20 dated 03.04.2024, under Section 306 IPC registered at Police Station Khanauri District Sangrur.

2. On 24.06.2024, the following order was passed by the co-ordinate Bench of this Court:-

“This petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioners in case bearing FIR No.20 dated 03.04.2024, under Section 306 IPC, registered at Police Station Khanauri, District Sangrur.

2. Learned counsel for the petitioners submits that petitioner No.1 is daughter in-law of the deceased Narinder Kaur who had allegedly committed suicide by hanging herself because the



petitioner No.1 used to raise dispute in the family at the instigation of her maternal family. Petitioner No.2 is brother of petitioner No.1. Learned counsel further submits that it is alleged that there is matrimonial dispute between petitioner No.1 and the son of the complainant. He also submits that mother of the petitioners had been granted benefit of interim relief in CRM-M-30280-2024 vide order dated 20.06.2024 passed by this Court. There is a delay of 05 months in lodging the FIR and there is no medical evidence of suicide.

3. *Notice of motion.*

4. *Mr. Prabhdeep Singh Bhandari, AAG, Punjab accepts notice on behalf of the respondent-State and seeks time to file reply.*

5. *In the meanwhile, petitioners will join investigation before the Investigating Officer as and when called. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on their furnishing adequate bail bonds/ surety bonds to his satisfaction. The petitioners are directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.*

6. *List on 26.07.2024.”*

3. Learned counsel for the petitioners contends that the petitioners have joined the investigation in compliance of the aforesaid order dated 24.06.2024, passed by the co-ordinate Bench of this Court.

4. Learned State counsel, on instructions from the Investigating Officer, confirms that the petitioners have joined investigation and also contends that their further custodial interrogation is not required. It is informed that there was delay of 05 month in lodging of the FIR as such there was no medical evidence on record. He has also confirmed that there was no suicide note.

5. The counsel appearing on behalf of the complainant does not dispute the aforesaid facts.



6. In view of the reasons recorded in the order dated 24.06.2024 and keeping in view the fact that the petitioners have joined investigation and their further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 24.06.2024, granting interim bail to the petitioners is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

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

8. However, liberty is reserved in favour of the State/complainant to move for cancellation/recalling 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.

9. All the pending miscellaneous applications, if any, shall stand disposed of.

13.08.2024

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**(HARPREET KAUR JEEWAN)
JUDGE**

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