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218/1 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-53992-2023 (O&M)  
DATE OF DECISION : 21.05.2024

JASWINDER KAUR AND ANOTHER .... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Deepak Arora, Advocate for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

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**HARPREET KAUR JEEWAN, J. (ORAL)**

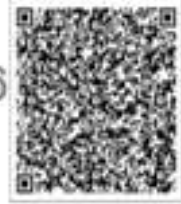
1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in case FIR No. 107, dated 07.10.2023, registered under Sections 498-A, 406, 323, 120-B IPC at Police Station Sadar Gurdaspur, District Gurdaspur.

2. On 23.10.2023 following order was passed:

“xxxx Learned counsel for the petitioners, inter alia, contends that petitioners are the old father-in-law and mother-in-law of complainant (respondent No. 2 herein). It is submitted that vague allegations have been made against the petitioners. Learned counsel for the petitioners submits that the bail application moved by the petitioners under Section 438 of the Code of Criminal Procedure Code, for grant of anticipatory bail has wrongly been dismissed by learned Additional Sessions Judge, Gurdaspur, vide its order dated 16.10.2023 (Annexure P-2). It is also submitted that the petitioners are ready and willing to join investigation as and when required by the Investigating Agency or as directed by this Court or trial Court.

3. Notice of motion.

4. On the asking of the Court, Mr. Vipin Pal Yadav, Additional A.G., Punjab, who is present in the Court, accepts



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notice on behalf of respondent-State. Learned State counsel opposes the petitioner's plea for bail on the ground of seriousness of offence. Learned State counsel seeks a short accommodation to file status report in this case.

5. List on 07.12.2023.

6. Without commenting anything on the merits of the case, petitioners are directed to join the investigation as and when directed by the investigating agency. In the meantime, in the event of arrest of petitioners, they shall be released on ad interim bail to the satisfaction of the Investigating/Arresting Officer and the petitioner shall abide by the terms and conditions laid down under Section 438(2) of the Code of Criminal Procedure.

7. A copy of the complete paper book be supplied to learned State counsel by the learned counsel for the petitioner during course of the day.

8. Status report be filed before next date of hearing with an advance copy thereof to counsel opposite.”

3. Learned counsel for the petitioners contends that the petitioners have joined the investigation in compliance of the order passed by the Co-Ordinate Bench of this Court. They are old aged father-in-law and mother-in-law of the first informant.

4. Learned State counsel has also confirmed that the petitioners have joined investigation.

5. Both the parties have also appeared before the Mediation and Conciliation Centre of this Court. As per the report of the office, the matter could not be listed for mediation due to non-compliance of the condition imposed upon the petitioner vide order dated 07.12.2023, whereby second time the matter was referred to the Mediation and Conciliation Centre. Today, learned counsel for the petitioners has handed over a sum of Rs.10,000/- in cash, which has been accepted on behalf of the counsel for the first informant in the Court.

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6. Keeping in view the allegations against the petitioners; their age and their relationship with the first informant as well as in view of the reasons recorded in the order dated 23.10.2023 and also keeping in view the fact that the petitioners have joined investigation, their custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 23.10.2023 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in 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.

**21.05.2024**

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**(HARPREET KAUR JEEWAN)  
JUDGE**

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