



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52857-2024
Date of decision: 18.12.2024

ALISHAPETITIONER

Versus

STATE OF PUNJABRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Balraj Singh Sidhu, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
85	15.08.2024	108, 62 of BNS, 2023 (Section 62 of BNS deleted later on vide DDR No.16 dated 10.09.2024.)	Kabarwala, District Sri Muktsar Sahib.

2. Learned counsel for the petitioner submits that in compliance to the order dated 20.11.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 20.11.2024.

3. Learned State counsel, on instructions from ASI Davinder Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.



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4. During the course of hearing on 20.11.2024, following order was passed:

“ 2. It is inter alia contended by learned Counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the marriage of the petitioner with the deceased took place on 19.07.2021 and then thereafter due to some differences they separated vide affidavit dated 31.12.2022 (Annexure P-2) and started living separately. However, later on, the petitioner joined the company of her husband on 08.01.2023. He contends that the deceased had allegedly committed suicide by consuming some medicine. The petitioner is not at all responsible for such incident as admittedly she was at her parental house about one month prior to the alleged occurrence and as such she cannot be attributed to have abetted the commission of suicide. He submits that the petitioner is a lady aged about 22 years, having no criminal antecedents, as such, he prays for grant of concession of anticipatory bail to the petitioner.

3. Per contra, learned State counsel referring to the reply submitted by the State has contended that the petitioner is named in the FIR to be responsible for the death of the deceased, as such, she does not deserve concession of bail. He has placed on record statement of the petitioner dated 08.01.2023 attested by one Mohanlal to show that she had joined the company of the deceased on 08.01.2023.

4. Considering the submissions and perusing the FIR, it transpires that in the FIR itself the deceased has specifically mention that since last one month the petitioner had gone to her parental house in Fazilka after quarrel with him. At this stage, without commenting on the merits of the case, it is deemed appropriate before deciding the petition on merits, the petitioner is hereby directed to join investigation within seven

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days from today and in the event of her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. He shall also abide by the conditions as envisaged under Section 482(2) BNSS.

5. Adjourned to 18.12.2024.”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 20.11.2024 passed by this Court, interim bail granted vide order dated 20.11.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

18.12.2024

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |