

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209

CRM-M-56784-2023

Date of Decision: 28.02.2024

Smt. Sona Devi

.... Petitioner

Versus

State of Haryana

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Rahul Gautam, Advocate for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

NIDHI GUPTA, J. (ORAL)

The petitioner has filed the present 1st petition under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No. 496 dated 07.10.2023 (Anenxure P-1) registered under Sections 498-A, 323 and 328 read with Section 34 IPC at Police Station Saran, District Faridabad, Haryana.

On 09.11.2023, when this case was listed for hearing, following order was passed by a co-ordinate Bench of this Court:-

“1. The petitioner is seeking anticipatory bail in the case bearing FIR No. 496 dated 07.10.2023 under Sections 498-A/323/328 and 34 IPC registered at Police Station Saran, District Faridabad.

2. Learned counsel for the petitioner contends that the marriage of the son of the petitioner was solemnized with the complainant on 08.05.2022. Primarily, the allegations against the petitioner are to the effect that some liquid with

offensive smell was administered to her on the pretext that the same is medicine. The complainant had refused to give her blood samples and sample of gastric lavage could not be taken as the complainant was non-cooperative, as per the opinion of the concerned doctor. Presently, the complainant is hale and hearty and residing in her parental house.

3. *Notice of motion.*

4. *Mr. Surinder Kumar Dagar, DAG, Haryana, accepts notice on behalf of the respondent-State.*

5. *Adjourned to 08.01.2024.*

6. *In the meanwhile, the petitioner is directed to join investigation and in the event of her arrest, she shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”*

Learned counsel for the petitioner submits that in compliance of the order dated 09.11.2023 passed by a co-ordinate Bench of this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Rakesh Kumar, states that in terms of the order passed by a co-ordinate Bench of this Court, reproduced above, the petitioner has joined the investigation; and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 09.11.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join the investigation and cooperate with the investigating agency in case she is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

28.02.2024
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(NIDHI GUPTA)
JUDGE

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