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**204 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CRM-M-57934-2023 (O&amp;M)

DATE OF DECISION : 17.05.2024

PREMWATI ALIAS PREMO

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

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

Present: Mr. A.K.Sokal, Advocate for  
Mr. Shlok Dalal, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

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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 petitioner in case FIR No. 248 dated 06.09.2023, registered at Police Station Uchana, District Jind, under Sections 302, 304-B, 34 of Indian Penal Code.

2. On 17.11.2023 following order was passed:

“xxxx FIR has been registered at the instance of the brother and the deceased with the allegations that his sister-deceased got married to the son of the present petitioner on 12.12.2016, who committed suicide on 06.09.2023 by hanging inside the room from a hook of the ceiling. There are allegations that the husband of the deceased as well as the petitioner/mother-in-law had abated the commission of the said suicide.

Learned counsel for the petitioner *inter alia* contends that the petitioner is mother-in-law of the deceased. However, the son of the petitioner and the deceased were living separately though in the same village and petitioner is having family identification certificate (Annexure P-3) which reflects her separate residence. Petitioner is 71 years old and there are vague allegations in the FIR that the deceased, about 20 days ago was beaten up the husband and by the petitioner/mother-in-law, regarding which the deceased told his brother (complainant) telephonically. However, no medical examination was conducted. There is no history of



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previous complaint having been filed by the victim or by the complainant, despite the fact that the son of the petitioner was married for the last 6 years and 10 months and he was living separately with his wife. At present 5 years old son is in the custody of the petitioner.

Notice of motion.

On advance copy, Mr. Amrik Singh Narwal, DAG, Haryana who is present in Court, accepts notice on behalf of the State and seeks time to file status report.

Adjourned to 29.02.2024.

In the meanwhile, the petitioner is directed to join investigation within one week and in that event she shall be released on bail, on her furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilqa Magistrate.

She shall also comply with the conditions stipulated in Section 438(2) of the Cr.P.C.”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the order passed by this Court.

4. Learned State counsel, on instructions from ASI Surender, has also confirmed that the petitioner has joined investigation and custodial interrogation of the petitioner is not required. State counsel further informs that there are total 3 accused named in the FIR. The husband of the deceased is in custody and one co-accused of the petitioner has been declared innocent and challan has already been presented against the co-accused of the petitioner.

5. Heard.

6. As per the status report and post-mortem examination report (Annexure R-1) and opinion of the Doctor (Annexure R-2), the cause of death in case is constriction of neck and its complications. As per Annexure R-1, there is no other external injury on the person of the deceased except the aforesaid injury on the neck. It is further mentioned in the status report

that petitioner has joined the investigation on 23.11.2023. Neither any

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recovery is to be made from the petitioner nor her custody is required in this case for any purpose.

7. Keeping in view the detailed reasons recorded in the order dated 17.11.2023 and the aforesaid facts, the present petition is allowed and the order dated 17.11.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C. The petitioner shall continue appearing before the trial Court after submission of the challan and shall not be absent during trial.

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

**17.05.2024**

Janki

**(HARPREET KAUR JEEWAN)  
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*