

**207/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-61844-2023

Date of Decision: 05.02.2024

MURTI DEVI AND ANOTHER

... PETITIONERS

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Shubham Mirok, Advocate for the petitioners.

Mr. Amrik Singh Narwal, D.A.G., 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 petitioners in case FIR No.53 dated 29.09.2023, registered under Sections 323, 498-A, 506 and 34 IPC at Police Station Women Sirsa (Annexure P-1).

2. On 08.12.2013 following order was passed:

“xxxx Learned counsel for the petitioners submits that the complainant in the complaint 1079/DGP dated 27.07.2023 mentions that she was married to Mander Singh resident of Dabli Ratan, Tehsil Pilibagan, District Hanumangarh about 4-5 years ago and have a child from him. However, made false assertions against the petitioners (petitioner No.1, Mother-in law and petitioner No.2, brother in law) of harassing her and driving her out from the matrimonial home, whereas she herself executed an affidavit dated 14.12.2020 (Annexure P-2) acknowledging her live-in-relationship with Mander Singh. She also stated that she has no concern or relation with family of Mander Singh. Mander Singh has given a constructed house to her in village Bani to live and shall have no right in the house, land or other property of Mander Singh in village Dabli Ratan. Learned counsel stated that complainant has made vague allegations with no specific time, date and allegations against the present petitioners in the complaint. They are ready and willing to join and co-operate with the investigation.

Notice of motion for 05.02.2024.

At the asking of the Court, Mr. Ranvir Singh Arya, Addl. A.G.Haryana accepts notice on behalf of respondent-State.

Meanwhile, the petitioners are directed to join the investigation. In the event of arrest of the petitioners, they shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioners contends that the petitioners have joined the investigation in compliance of the order dated 08.12.2013 passed by this Court.

4. Learned counsel appearing on behalf of the respondent-State on instructions from L/ASI Deepa confirms that the petitioners have joined investigation and also contends that their custodial interrogation is not required.

5. Petitioners are the mother-in-law and brother-in-law of the complainant at whose instance the present FIR has been registered.

6. In view of the reasons recorded in the order dated 08.12.2013 and 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 08.12.2013 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

05.02.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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