

**CRM-M-62881-2023 (O&M)****- 1 -****202/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-62881-2023 (O&M)
DATE OF DECISION : 26.09.2024****JASWINDER KAUR****... PETITIONER****V/S****STATE OF PUNJAB****... RESPONDENT****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN****Present: Ms. Supriya Arora, Advocate for the petitioner.****Ms. Himani Arora, A.A.G., Punjab.****Mr. T.S.Attariwala, Advocate for the complainant.***** * * *****HARPREET KAUR JEEWAN, J. (ORAL)**

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 100 dated, 25.11.2023, registered at Police Station Women Cell, District SAS Nagar, under Sections 498-A, 406 of the IPC.

2. On the oral request by learned counsel for the petitioner, Section 406 IPC is allowed to be added in the petition. Registry is directed to make the necessary correction accordingly.

3. On 16.04.2024 following order was passed:

“As per the report of the Mediation Centre, the matter could not be compromised and the report of the Mediator shows that on some of the dates, petitioner was not present before the Mediator. There are chances for settlement. As such, all the parties including the present petitioner, who is mother-in-law, Kulwinder Kaur, sister-in-law and Balwinder Singh, husband, on



CRM-M-62881-2023 (O&M)

- 2 -

whose behalf another bail application bearing CRM-M-65120-2023 has been filed which is stated to be pending for 04.07.2024.

The parties are directed to appear before the Mediation and Conciliation Center of this Court on 30.04.2024.

Adjourned to 04.07.2024.

In the meanwhile, the petitioner is directed to join investigation within ten days and in the event of arrest, she shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bonds/surety, and also subject to the following conditions:-

xxxxxx .”

4. Learned State counsel, on instructions from HC Ghansham Singh, has confirmed that the petitioner has joined investigation. State counsel further informs that custodial interrogation of the petitioner is not required.

5. Petitioner is mother-in-law of the complainant. She has joined the investigation. Some recovery has been effected. However, gold ornaments are yet to be recovered.

6. The allegations and counter-allegations of the parties *inter se* each other are a matter of trial. The petitioner has joined investigation and her further custodial interrogation is not required. Merely on the ground of non-recovery of complete dowry articles, the relief cannot be declined to the petitioner.

7. In view of the aforesaid facts and circumstances, the relationship of the petitioner with the complainant, the reasons recorded in the order dated 16.04.2024 and keeping in view the fact that the petitioner has joined investigation, her custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated

16.04.2024 granting interim bail to the petitioner is made absolute, subject

**CRM-M-62881-2023 (O&M)****- 3 -**

to the conditions laid down in Section 438(2) Cr.P.C.

8. This order shall also be construed to have been passed with regard to Section 406 IPC. It is also made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

26.09.2024

Janki

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