

**CRM-M-63842-2023 (O&M)****- 1 -****202/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-63842-2023 (O&M)
DATE OF DECISION : 26.09.2024****KULWINDER 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. A.S.Sohal, 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 19.12.2023 following order was passed:

“xxxx *Inter alia* contends that the petitioner is the sister-in-law of the complainant and she has no role to play. The matter has already been sent in the the Mediation in a petition bearing No. CRM-M-62881-2023 which was filed on behalf of the mother-in-law of the complainant.

Notice of motion.

On the asking of the Court, Mr. Harpreet Singh, Addl.



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A.G., Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 16.04.2024.

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

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

To be heard along with CRM-M-62881-2023.”

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 sister-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 and the reasons recorded in the order dated 19.12.2023, the present petition is allowed and the order dated 19.12.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

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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*