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207/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64759-2023 (O&M)
DATE OF DECISION : 21.08.2024

PALWINDER KAUR ... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Prateek Sodhi and Mr. Amarjot Grewal, Advocates
for the petitioner.

Ms. Himani Arora, A.A.G., Punjab assisted by
ASI Karnail Singh.

* * * *

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. 229, dated,
08.11.2023, registered at Police Station Ajnala, District Amritsar (Rural),
under Section 304-B of the IPC.

2. On 22.12.2023 following order was passed by this Court:

“xxxx Inter alia contends that the petitioner is the mother-
in-law of the victim. She is aged about 52 years. She is suffering
from various ailments as per the medical record (Annexure P-4).
As per the FIR, there are no specific allegations against the
petitioner. With regard to the occurrence, one day prior to the
incident, even the petitioner was not present in the family
marriage function.

Notice of motion.

Having received advanced copy of the petition, Mr.
Sarabjit Singh Cheema, D.A.G., Punjab, accepts notice on behalf
of the respondentState and prays for time to file status report.

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Adjourned to 06.02.2024 for service of respondent No. 2.

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

x x x x x x. ”

3. Learned counsel for the petitioner contends that Balwinder Singh, husband of the petitioner has been granted the concession of anticipatory bail by the Hon'ble Apex Court vide order dated 29.07.2024 in Criminal Appeal No. 3122 of 2024 arising out of SLP (Crl.) No. 7886 of 2024.

4. Learned State counsel, on instructions from ASI Karnail Singh, submits that the petitioner has joined the investigation in compliance of the order passed by this Court. The investigation of the case is complete and even the challan/final report has been presented in the Court.

5. In view of the aforesaid facts and the reasons recorded in the order dated 22.12.2023 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 22.12.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

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

7. Liberty is also reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates



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any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

8. All the pending miscellaneous applications, if any, shall stand disposed of.

21.08.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

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