

B.A. No. 175 of 16.06.2021
CIS no. 1439 of 2021
CNR No. PBSA01-005222-2021

FIR no. 188 dated 02.06.2021
under Sections: 406, 498-A IPC
P.S. Derabassi, District SAS Nagar, (Mohali)

Roma Rani Versus State of Punjab

Bail application under Section 438 Cr.P.C

Present: Sh. Ravinder Batra, Adv, counsel for bail applicant
 Sh. S.S. Sahota, Addl. PP for the State assisted by Sh.Mohit
 Verma, Adv, counsel for complainant.

ORDER:-

Record of investigation received and perused. Heard.

The learned counsel for bail applicant argued that bail applicant is quite innocent and has been falsely implicated in the above noted case by the police. He further argued that bail applicant who is the mother in law of the complainant has no concern with the matrimonial affairs of the complainant and her husband. He further argued that the bail applicant never harassed the complainant as alleged nor demanded any dowry from her. He further argued that the bail applicant is a homely lady of 50 years old. Nothing is to be recovered from her. He further argued that the allegations against the bail applicant are vague and general in nature as it is general tendency to implicate all the family members of husband in the matrimonial dispute. He further argued that the bail applicant is not required for the purposes of custodial interrogation, however she is ready to join the investigation. So, she be released on anticipatory bail.

On the other hand the learned Addl. PP for the State has vehemently opposed the bail application on the ground that there are serious allegations against the bail applicant. They further argued that custodial interrogation of the bail applicant is required for recovery of dowry articles and for investigation of the present case. They prayed for dismissal of the bail application.

After giving thoughtful considerations to the rival contentions and going through the record of the case, this Court is of the considered view that the bail applicant is entitled for the concession of interim bail at this stage. The bail applicant is the mother in law of the complainant and is homely lady of 50 years old. There are allegations and counter allegations against each other. Hence, without commenting anything on the merits of the case at this stage, benefit of interim bail is granted to the bail applicant till the next date of hearing accordingly, the bail applicant Roma Rani is directed to surrender before the I.O. before the next date of hearing and in that eventuality, she shall be released on interim bail to the satisfaction of concerned SHO/Investigating Officer subject to the following terms and conditions:-

1. That the applicant shall join the investigation as and when called by the investigating agency;
2. That the applicant shall not make any threat, promise or inducement to any person conversant with the facts of the case to dissuade him/her from disclosing the truth to the court or police.
3. That the applicant shall not leave the country without

prior permission of the Court.

Now to come upon 02.07.2021 for further proceedings. Record of investigation be also produced on the said date.

Pronounced:
22.06.2021

Bhupinder Singh
Stenographer-II

(Devinder Kumar Gupta)
Addl. Sessions Judge.
S.A.S. Nagar, (Mohali).
(UID No.PB00520)