

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2454 of 2023

Applicant :- Manpreet Kaur Alias Preeti

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt.
And Another

Counsel for Applicant :- Arvind Kumar Verma, Suraj Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Arvind Kumar Verma, the learned counsel for the applicant as well as Sri Rakesh Kumar Singh, the learned Additional Government Advocate-I appearing on behalf of the State and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in Sessions Trial No. 1480 of 2014 arising out of Case Crime No. C-470 of 2014, under Sections 498-A, 306, 504, 506 IPC, Police Station Mohammadi, District Kheri.

3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 05.08.2014 against four persons, including the applicant, stating that the informant had got his daughter married to the applicant's brother-in-law Boota Singh about 18 years ago and she had given birth to two daughters. The informant's daughter was beaten up on 20.03.2014 and due to instigation of the accused persons, she committed suicide by hanging herself.

4. In the affidavit filed in support of the application it has been contended that the applicant is innocent. Initially during investigation, the Investigating Officer had filed a report stating

that the applicant had been wrongly implicated in the present case but subsequently she was summoned under Section 319 Cr.P.C. by means of an order dated 15.11.2016. The applicant had challenged the summoning order by filing Criminal Revision No. 12 of 2017 wherein her arrest was stayed. However, the revision was dismissed for want of prosecution because of death of the learned counsel of the applicant during Covid-19 and an application for recall of the order filed subsequently, has also been dismissed by this Court.

5. The learned counsel for the applicant has also submitted that the co-accused Param Jeet Kaur, has been granted anticipatory bail by this Court vide order dated 30.10.2023 passed in Criminal Misc. Anticipatory Bail Application (U/S 438 Cr.P.C.) No.2409 of 2023.

6. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is a 38 years widow lady having no criminal history; that the incident took place 18 years after marriage of the deceased and the allegations levelled against the applicant are general in nature; that the witnesses of fact have already been examined and the applicant's brother-in-law Boota Singh and mother-in-law Param Jeet Kaur, have already been granted bail, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant during pendency of the trial.

8. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of applicant- **Manpreet Kaur Alias Preeti** before the learned Trial Court in the aforesaid case crime, she shall be released on

anticipatory bail during pendency of the trial on her furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness.

(Subhash Vidyarthi,J.)

Order Date :- 2.11.2023

Preeti.