

CRM-M-23453-2015

[1]

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-23453-2015

Date of decision: 22.09.2015

Balwinder Kaur @ Bevi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Vaibhav Narang, Advocate,
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

Mr. J.S. Thind, Advocate,
for the complainant.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.148 dated 24.08.2014, under Sections 302 and 34 of Indian Penal Code, 1860 (for short 'IPC') (in challan Section 302 has been deleted and case was made out under Section 306 IPC, registered at Police Station Gate Hakima, District Amritsar City.

While issuing notice of motion, following order was passed by this Court on 24.07.2015:-

CRM-M-23453-2015

[2]

“ Contends that initially a case was registered under Section 302 IPC but the charge has finally been framed under the provisions of Section 306 IPC. The petitioner was found to be innocent during the course of investigation but has been summoned pursuant to the provisions of Section 319 Cr.P.C. When during investigation the petitioner had been found innocent, then no fruitful purpose would be served by submitting the petitioner to incarceration particularly when she is bound by the terms of the trial.

Notice of motion for 22.9.2015.

In the meantime, if the petitioner appears before the learned trial court within two weeks and makes a prayer for regular bail, the same shall be considered and decided as expeditiously as possible but not later than three days from the date of moving such application.

Till that time the petitioner's arrest shall remain stayed.

In the eventuality of the trial court coming to the conclusion that the petitioner deserves the concession of bail, it shall record the reasons and impose any condition which it may deem fit to ensure that the petitioner does not commit any default.

At this stage, Ms.Rupinder Kaur Thind, Advocate appears on behalf of the complainant.”

Learned counsel for the petitioner has submitted that in terms of the above-said order, petitioner has furnished interim bail.

CRM-M-23453-2015

[3]

Accordingly, interim bail granted to the petitioner by
this Court vide order dated 24.07.2015, is made absolute.

Petition stands disposed of accordingly.

Sept. 22, 2015
kapil

(SABINA)
JUDGE