

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-33105 of 2015
Date of Decision: October 06, 2015

Gurcharan Kaur

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sant Pal Singh Sidhu, Advocate
for the petitioner.

Mr.B.S.Bhullar, Asstt. Advocate General, Punjab
for the respondent-State.

Mr.Sandeep Khunger, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.26 dated 08.02.2015
under Sections 406, 498-A, 312 and 313 IPC, registered at Police
Station Guruhar Sahai, District Ferozepur.

Notice of motion was issued and learned State counsel as
well as learned counsel for the complainant appeared and contested
the petition.

I have heard learned counsel for the parties as well as
learned State counsel and have gone through the record.

As argued, the petitioner was earlier on anticipatory bail
under Sections 406 and 498-A IPC and on the same facts, the offence

under Sections 312 and 313 IPC have been added later on. As argued, the petitioner was on anticipatory bail for the last six months and there is nothing on the record that the petitioner, who is mother-in-law of complainant, has ever misused the concession of anticipatory bail.

The present petitioner is not required for any investigation or interrogation purposes nor anything is to be recovered from her.

Furthermore, learned counsel for the petitioner contended that in another case which was got registered by the complainant under Section 307 IPC against her husband and father-in-law on 12.09.2014, the occurrence regarding miscarriage in the last week of August 2014 has not been mentioned.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case where petitioner is entitled to benefit of anticipatory bail. It is ordered that, in the event of arrest, the petitioner be released on anticipatory bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and she will not tamper with the prosecution evidence and further will not leave India without prior permission of the Court.

October 06, 2015
Vgulati

(INDERJIT SINGH)
JUDGE