

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

CRM No.M-33411 of 2015 (O&M)

Date of decision: 19.10.2015

Kulwinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. L. S. Sidhu, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

CRM No.34286 of 2015

CRM is allowed and Annexure P-2 is taken on record.

Main Case

By way of first petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.47, dated 11.09.2015, registered under Sections 306, 34 of the Indian Penal Code (for short 'the IPC') at Police Station Joga, District Mansa.

The learned counsel contends that the petitioner has been falsely implicated in the present case as brother of the complainant deceased Kuldeep Sharma was feeling embarrassed and guilty after he was caught red handed in compromising position with wife of Chand Singh. No single instance of any dispute between petitioner and Kuldeep

Sharma is reflected in the FIR and no material of instigation or any act which resulted in commission of offence is available on record. Hence, there is no abetment on the part of petitioner.

Heard.

Keeping in view the seriousness of the offence; fact that the name of the petitioner is specifically mentioned in the FIR; that the accusations are specifically against her and the fact that the petitioner has not been able to make out the exceptional case to seek the extra ordinary privilege of the anticipatory bail, no case is made out for bail.

Dismissed.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

19.10.2015

ashok

(JITENDRA CHAUHAN)
JUDGE