

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

CRM-M No.21392 of 2016
Date of decision: 3rd August, 2016

Gurpreet Kaur and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Manish K. Singla, Advocate
for the petitioners.

Mr. Jasjeet Dhaliwal, Dy. Advocate General, Punjab
for respondent No.1.

Mr. Sumeet Puri, Advocate for respondent No.2.

FATEH DEEP SINGH, J

Allegations against petitioners Gurpreet Kaur and Ramesh Puri in this anticipatory bail application under Section 438 Cr.P.C. are that a criminal complaint was lodged by respondent No.2 Avtar Singh (since deceased and now represented by his heirs) alleging that a marriage between Gurpreet Kaur and Sukhdev Singh (now deceased) took place in 1994 out of which wedlock two children a boy and a girl both minors were born, and during the subsistence of this marriage petitioner Gurpreet Kaur is alleged to have entered into a amorous relationship with petitioner No.2 Ramesh Puri and as per these allegations in consequence of this both of them had conspired and managed to administer poison to Sukhdev Singh leading to his death and

subsequently his body was thrown in the fields from where it was recovered on 03.12.2008. When the police failed to take any action, complaint was filed by Avtar Singh before Judicial Magistrate 1st Class, Nabha and petitioners were summoned and subsequently on account of lack of territorial jurisdiction the complaint was returned vide orders dated 07.10.2013. Subsequently, the complainant filed the complaint at Sangrur whereby the petitioners were summoned under Section 302/506/120-B IPC vide orders dated 18.04.2016. Thus, threatened over their arrest they have come up before this Court.

Contentions of learned counsel for the petitioners that nothing is to be recovered from the petitioners as the alleged occurrence took place almost eight years back and that the entire evidence of the complainant is based on hearsay, have been refuted by learned State counsel as well as the complainant who have sought to submit that in view of the seriousness of the allegations and heinousness of the offence does not calls for grant of bail.

Appreciating the submissions, the merits of the allegations and counter allegations of the two sides are subject matter of adjudication of trial when both sides would lead their evidence. Keeping in view being a complaint case nothing is to be recovered from the petitioners as a period of more than eight years has elapsed between the alleged occurrence and the present summoning order, however,

appearance of the petitioners before the trial Court would suffice the purpose.

The petition stands disposed off with observations that the petitioners shall put in appearance before the trial Court within ten days from today and on their doing so they shall be released on interim bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

August 3, 2016
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No