

CRM-M-21468-2016

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

CRM-M-21468-2016

Date of Decision: 26.08.2016

Surjit Kaur

... Petitioner(s)

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rahul Bhargava, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

INDERJIT SINGH, J. (Oral)

This petition has been filed under Section Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.140 dated 24.09.2015, registered at Police Station Ajnala, District Amritsar Rural, under Sections 307 and 34 of the Indian Penal Code.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

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

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From the record, I find that no role has been attributed to the present petitioner, who is mother-in-law of complainant. It is mentioned in the FIR, itself that brothers-in-law of complainant poured oil on her and set her on fire. However, her mother-in-law, present petitioner was standing in the street and she was witnessing the entire incident. Perusal of record, at this stage, itself, shows that no active role has been alleged in the commission of offence by the present petitioner.

Without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and that no useful purpose will be served by sending the petitioner to custody, I find merit in the present petition and the same is allowed. It is ordered that in the event of arrest, 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 shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

26.08.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No