

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

CRM No.M-32643 of 2015 (O&M)

Date of Decision: 08.01.2016

Harpinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. D.S. Pheruman, Advocate for the petitioner.

Ms. Anmol Grewal, AAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in case FIR No.155 dated 31.07.2013, under Section 306 IPC, registered at Police Station Jandiala Guru, Amritsar.

On 11.12.2015, while issuing notice of motion, the following order was passed by this Court:

“The learned counsel for the petitioner contends that as per the FIR, the brother of the complainant committed suicide as the petitioner along with Dr. Sunanda had been blackmailing that co-accused, Dr. Suananda has conceived due to her proximity with the deceased. As per the FIR, the deceased being in a state of depression, shared the whole story with his brother, the complainant.

In support of the assertion, transcript of messages from 29.07.2013 to 30.07.2013, have been circulated during the course of the arguments. There is no evidence on record with regard to the pregnancy of Dr. Sunanda. Moreover, the transcript carries the message dated 29.07.2013 wherein there is no reference of the death of the brother of the

complainant. The learned State counsel has not been able to refer to any evidence that in fact, the deceased spoke to Dr. Sunanda on 27.11.2013.

In view of the above, the petitioner is allowed to join the investigation.

Post again on 08.01.2016.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, she shall be released on interim bail subject to the following conditions:-

- 1. That she shall make herself available for interrogation by a police officer as and when required;*
- 2. That she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That she shall not leave India without prior permission of the Court.”*

Learned State counsel upon instructions from ASI Harjit Singh has apprised the Court that the petitioner has since joined investigation. That apart, observations made by this Court and contained in the order dated 11.12.2015 have gone un-rebutted.

Petition is allowed. Order dated 11.12.2015 is made absolute.

08.01.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**