

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

**CRM NO. M-22331 OF 2017
DECIDED ON : 28.09.2017**

Gurmeet Kaur

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Mohan Singh Chauhan, Advocate,
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.49 dated 10.11.2016 under Section 306 IPC, registered at Police Station Khemkaran , District Tarn Taran.

The first bail application was dismissed as withdrawn on 27.12.2016, while the second application was dismissed on merits on 08.02.2017.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR, which has been lodged by Ranjit Kaur on 10.11.2016, are that her husband Jugraj Masih was having illicit relations with the petitioner and as a result of which, he committed suicide by consuming intoxicant substance. Complainant Ranjit Kaur has stated in the FIR that

she is wife of Jugraj Masih and they were residing together and it was the petitioner, who was pressurizing the deceased to obtain divorce from the complainant. Learned counsel further contends that he has now obtained copy of the complaint sent by the complainant Ranjit Kaur to SHO Women Police Station, Amritsar City on 07.11.2016 (Annexure P-4/T), wherein she had stated that she does not want to reside with her husband Jugraj Masih and wants to obtain divorce from him and he should be called to the police station and justice be done to her.

Learned counsel has also drawn my attention to the statement (Annexure P-5/T) of deceased Jugraj Masih recorded in the Police Station in connection with the afore-noted complaint sent by Ranjit Kaur, wherein, he had stated that he and his wife are residing separately for the last seven years and the relations between the two are not cordial and they want to obtain divorce and they will file a petition for divorce by mutual consent in the Court. Learned counsel has also referred to Annexure P-6, which is the statement of Ranjit Kaur-complainant recorded in the Police Station on 09.04.2017 that Charanjit Singh son of Karam Singh had also abetted her husband Jugraj Masih to divorce her and marry Gurmeet Kaur (Petitioner), which suggests that her version is not truthful. Learned counsel contends that these documents were not in possession of the petitioner when she had filed the earlier petitions and she has now obtained them which falsifies the version of the complainant in the FIR.

This Court, by the order dated 23.08.2017 had directed the petitioner to join investigation and in the event of arrest, she was ordered to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Ravi Shanker, states that in pursuance to the order dated 23.08.2017 passed by this Court, the petitioner has joined investigation and she is not required for custodial interrogation.

In view of the above and without expressing any opinion on the merits of case, the order dated 23.08.2017, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

SEPTEMBER 28, 2017

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1. Whether speaking/reasoned : YES/NO
2. Whether reportable : YES/NO