

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

CRM-M-38102-2017 (O&M)

Date of decision : 14.11.2017

Raj Kaur @ Raj Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Ms. Anju Arora, Addl.A.G., Punjab,
assisted by ASI Satnam Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in FIR No.36 dated 28.07.2017, registered under Sections 316, 498-A, 406, 323 and 120-B of the Indian Penal Code, at Women Police Station, District Police Commissionerate, Amritsar.

Heard.

On 10.10.2017, the following order was passed:-

“Learned counsel contends that the petitioner is an unmarried sister-in-law of the complainant. No specific injury has been attributed to the petitioner. In fact the complainant herself wanted to terminate the pregnancy. She left the matrimonial home on 25.02.2017 and got the pregnancy terminated on 27.02.2017 without information and permission of co-accused, namely, Surjit Singh. He further contends that there is delay of 05 days in lodging the present FIR.

Notice of motion for 14.11.2017.

The petitioner is directed to join the investigation.

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, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation but recovery is yet to be effected from him.

Keeping in view the fact that the petitioner is the unmarried sister-in-law, there is no evidence of any specific entrustment to her and she has joined the investigation in pursuance of the orders passed by this Court, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 10.10.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

14.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No