

CRM-M-42288-2017

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

CRM-M-42288-2017

Date of Decision:21.12.2017

Karamjit Kaur and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karan Vir Nanda, Advocate,
for the petitioners.

Mr. Ayush Sarna, AAG, Punjab.

Mr. Jag Nahar Singh, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners-Karamjit Kaur, Gurpreet Kaur and Sukhvir Singh @
Lakhvir Singh have filed this petition under Section 438 of the Code of
Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory
bail in case FIR No.89 dated 05.10.2017, registered at Police Station Bassi
Pathana, under Sections 306 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State
counsel has put in appearance on behalf of the respondent-State and
complainant has also appeared through his counsel. They contested this
petition.

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

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From the record, I find that as per the prosecution version, deceased-Gurcharan Singh had a matrimonial dispute with his wife, Gurpreet Kaur (petitioner No.2). She was residing separately with her parents. Petitioner No.1-Karamjit Kaur is mother and petitioner No.3-Sukhvir Singh @ Lakhvir Singh is brother of Gurpreet Kaur.

In pursuance of the interim order dated 16.11.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 16.11.2017, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

21.12.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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