

Sr. No.204

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

CRM No. M-42711 of 2017 (O&M)

Date of Decision: 27.03.2018

Rajni Devi

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Bhavyadeep Walia, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.73 dated 05.09.2016, under Sections 302/201/34 IPC, registered at Police Station, Ghanaur, District Patiala.

It has gone uncontroverted that after completion of investigation, challan was presented only against Parveen Kumar and the present petitioner was summoned to face trial on account of an application under Section 319 Cr.P.C. having been allowed.

While issuing notice of motion, the following order was passed by this Court on 13.11.2017:-

*“It is inter alia contended that initially during
the course of investigations, the petitioner was found*

innocent and it is with the aid of Section 319 Cr.P.C. she has been summoned as an additional accused.

Notice of motion 27.03.2018.

Meanwhile, in the event of petitioner putting in appearance before the trial Court within fifteen days from the date of this order, she be admitted to bail to the satisfaction of the trial Court.”

Counsel representing the petitioner makes a statement at the Bar that the petitioner has since joined trial proceedings and appeared before the trial Court on 18.11.2017.

Briefly it may be noticed that deceased in the present case is Suresh Rani. Deceased was married to Parveen Kumar in the year 2010.

Prosecution version is that Parveen Kumar was in an illicit relationship with the present petitioner Rajni Devi and it is on account of such circumstances that the deceased was done away with.

At the stage of summoning the present petitioner as an additional accused, trial against main accused Parveen Kumar had already reached the concluding stage. Accordingly, trial of the present petitioner was segregated so as not to prejudice Parveen Kumar who otherwise would have faced a *de novo* trial.

It is an admitted position of fact that the trial qua main accused Parveen Kumar has culminated in his acquittal.

Present petitioner having joined trial proceedings and in view of the peculiar facts and circumstances noticed

hereinabove, prayer made in the present petition is accepted.

Order dated 13.11.2017 passed by this Court is made absolute.

Disposed of.

27.03.2018
vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No