

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50988-2018

Date of Decision: 14.12.2018

Jaspreet Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Deepak Aggarwal, Advocate for petitioner No.2.

Ms. Monika Jalota, DAG, Punjab.

Petition qua petitioner No.1 dismissed as withdrawn
on 20.11.2018.

...

Inderjit Singh, J. (Oral)

Petitioner No.2-Ramandeep Kaur has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.21 dated 09.03.2017, registered at Police Station Kotfatta, District Bathinda under Section 302 read with Section 34 of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel has appeared on behalf of respondent-State and contested this petition.

I have heard learned counsel for petitioner No.2 as well as learned State counsel and have gone through the record.

As per the FIR, which was got registered by complainant Labh Singh, his sister-in-law (Bhabhi) Nirmal Kaur wife of Mukhtiar Singh, used to organize chowki at her home. On the day of occurrence, Nirmal Kaur (Bhabhi), nephew Kulwinder Singh @ Vicky and his younger brother Jaspreet Singh, Rosi wife of Kulwinder Singh and his niece Gagan Kaur and

children of Kulwinder Singh i.e. son Ranjot Singh aged about 5 years and daughter Anamika aged about 3 years were there in the room and the door was bolted from inside. The noise of children was heard from the room and after sometime, the noise of children was not there and when the room was opened then Kulwinder Singh was sitting on his son Ranjot Singh and Nirmal Kaur was sitting on her grand-daughter Anamika and both the children were dead. As per the allegation in the FIR, Nirmal Kaur, Kulwinder Singh @ Vicky and Rosi while doing pooja and to make the God and Goddess happy, had killed the children.

The present petitioner No.2 has not been named in the FIR. She is stated to be present in the house. No role or connivance in any way is attributed to her at this stage in the FIR.

In pursuance of the interim order dated 20.11.2018, passed by this Court, petitioner No.2 has already joined the investigation. She is not required for custodial interrogation. No useful purpose would be served by sending her 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 20.11.2018, granting interim bail to petitioner No.2, is made absolute. However, petitioner No.2 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.

14.12.2018

Jasmine Kaur(INDERJIT SINGH)
JUDGE