

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

**Criminal Misc. No.M-5452-2018
Date of Decision: April 30, 2018.**

SANDEEP KUMARI & ORS.

..... PETITIONERS

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

**Present: Mr. Bhajan Singh Sodhi, Advocate,
for the petitioners.**

Ms. Ruchika Sabharwal, AAG, Punjab.

- 1. Whether reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the reporters or not?**
- 3. Whether the judgment should be reported in the digest?**

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.39 dated 21.05.2017, under Section 306 IPC, registered at Police Station Mukandpur, District. SBS Nagar.

Learned counsel for the petitioners submits that it is highly debatable whether any offence punishable under Section 306 IPC is made out against the petitioners or not. Similarly situated co-accused, namely, Jeeto @ Surjit Kaur, Meeto and Pallo @ Kashmir Kaur have been afforded the concession of anticipatory bail by this Court on 01.03.2018 in CRM-M-1654-2018. It is further submitted that the above said FIR was registered due to certain misunderstanding within the family as number of family members have been named randomly in the present FIR. There is nothing on record to indicate how

the petrol which the complainant's wife poured on herself was available in the locked room. Moreover, the petitioners, it is submitted, have joined investigation and they undertake to face the proceedings and not misuse the concession of anticipatory bail, if afforded to them. Therefore, it is prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Inderjit Singh Singh, verifies that the petitioners have joined investigation and are not not involved in any other criminal case. Their custodial interrogation is not required. It is not denied that similarly situated co-accused have been afforded the concession of anticipatory bail by this Court on 01.03.2018.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 24.01.2018 passed in CRM-M-1654-2018 is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

April 30, 2018
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(LISA GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No