

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

**CRM-M-29247-2019
Date of decision: 29.07.2019**

Lakhwinder Kaur @ Jyoti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- HC Yadwinder Singh.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail in FIR No.85 dated 12.05.2017 under Section 309 IPC and Section 306 IPC (added later on), registered at Police Station City (Kotwali) Faridkot, District Faridkot.

The operative part of the order dated 12.07.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner relies upon order the order dated 08.07.2019 passed in CRM-M-27491-2019, vid which, while granting interim anticipatory bail to co-accused Hukam Singh, following order has been passed:-

Learned counsel for the petitioner submits that the incident pertains to 01.05.2017 and the FIR was registered initially on 12.05.2017 under Section 309 IPC. It is stated by complainant Parveen Kaur in the FIR that her husband namely Jagdeep Singh @ Jaggu along with Lovepreet had gone out and mother of Lovepreet informed her that he will not come and will die. It is further stated in the FIR that Lovepreet, by misguiding her husband, had taken him and later on, she came to know that both Jagdeep Singh @ Jaggu and Lovepreet jumped into the canal, whereas Lovepreet came out of the canal, however, dead body of Jagdeep Singh @ Jaggu was never recovered. It is further submitted that after 11 days of the incident, the police recovered a motorcycle, which, according to the prosecution

version, was lying parked and also recovered a diary, in which there were two notes, in one it is stated that the deceased has committed suicide on his own. Later, only on the basis of disclosure statement of Lovepreet, petitioner was nominated and his name is included in the FIR after a period of two years.

Learned counsel for the petitioner has further submitted that even in the DDR dated 31.05.2019, it is mentioned that when handwriting of Jagdeep Singh on the suicide note was sent for comparison, it has come that same is matched, whereas it was not tallied with any standard signature/handwriting of Jagdeep Singh, like in the bank account, as his handwriting was taken from an old book and it will be debatable issue whether it was in the handwriting of Jagdeep Singh.

Learned State counsel, on instructions from ASI Sukhdev Singh, could not dispute the factual position.

Learned counsel for the petitioner further submits that the petitioner is similarly situated with aforesaid co-accused and she was nominated in the FIR, after a period of two years.”

The Investigating Officer, who is present in Court, submits that in pursuance to the order dated 12.07.2019, the petitioner has already joined the investigation and she is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 12.07.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

29.07.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No