

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

CRM-M-12723-2020

Date of decision: 16.12.2020

Sukhdeep Kaur @ Gurpiar Kaur

...Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Jagjit Singh Gill, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, AAG, Punjab.

Mr. Tarunveer Vashisht, Advocate
for the complainant.

MANOJ BAJAJ, J. (ORAL)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.66 dated 22.04.2020 under Section 306, 34 IPC, registered at Police Station Bhikhi, District Mansa. She apprehended her arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 21.05.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The petitioner prays for grant of pre-arrest bail in FIR No.66 dated 22.4.2020 registered under Sections 306, 34 IPC at Police Station Bhikhi, District Mansa.

As per the case of the prosecution, Smt. Beerinder Kaur married to Jagsir Singh for about 12 years has committed suicide.

The petitioner is married sister-in-law of the deceased. Another married sister-in-law of the deceased namely Veerpal Kaur has

already been granted the concession of pre-arrest bail by this Court in CRM-M-12543-2020 vide order dated 19.5.2020.

Notice of motion.

On the asking of the Court, Mr. H.S.Sullar, DAG, Punjab accepts notice on behalf of the State of Punjab and prays for time to seek instructions.

Sh. Tarunvir Vashisht, Advocate, accepts notice on behalf of the complainant.

Adjourned to 12.8.2020.

Meanwhile, let the petitioner join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted herself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned State counsel, on instructions from ASI Jasbir Singh, further states that she is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 21.05.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

16.12.2020

Mehak

Whether reasoned/speaking?

Yes

Whether reportable?

No