

**(Proceedings conducted through video conferencing on account of
Covid-19 Pandemic)**

CRM-M-13781-2020 (O&M)

Date of Decision: 19.08.2020

SUKHPAL KAUR

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. A.S.Barnala, Advocate, for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

VIVEK PURI, J.(ORAL)

On 17.06.2020, the following order was passed:-

“This matter is being taken up for hearing through video conference/WhatsApp due to the pandemic COVID-19.

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 167 dated 2.5.2020 under Sections 312, 313, 315 & 316 IPC and Section 23 of the Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 registered at Police Station, Sadar Dhuri, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case. He submits that petitioner herself is a victim in this case who has lost her twins because of misguidance of one Kuldeep Kaur who is working as an ANM. He further submits that in absence of availability of expert medical staff in the scenario of COVID-19 and in order to extract money from her abortion procedure have been conducted on her. The petitioner is having 3 years old daughter at home to look after. Nothing is recovered from the petitioner.

Issue notice of motion.

Since advance copy of the petition stands already served, Mr. Suveer Sheokhand, Addl. AG Punjab, accepts notice on behalf of the respondent-State and opposed the application.

List on 19.8.2020.

Without going into that issue which is a matter of investigation, this Court upon hearing learned counsel for the petitioner is of the view that in this case anticipatory bail would be just and proper and will serve ends of justice as an interim arrangement pending investigation etc. Needless to add that the petitioner would join the investigation as and when required and would abide by the conditions laid down in Section 438 (2) of the Cr.P.C. to the satisfaction of the concerned investigating officer.”

Learned counsel for the petitioner submits that in pursuance to the abovesaid order, the petitioner has joined the investigation and is no more required for custodial interrogation. Furthermore, challan has already been presented in the Court.

Learned State counsel, on instructions from ASI Kulwant Singh, has not disputed the aforesaid fact(s).

In view of the above, the order dated 17.06.2020, vide which the petitioner was granted interim bail, is made absolute.

The petition stands disposed of.

19.08.2020
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No