

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(201)

CRM-M-21790-2020

Date of Decision: November 09, 2020

Rajwinder Kaur

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Angad Chahal, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. Jasraj Singh, Advocate, for the complainant.

HARSIMRAN SINGH SETHI, J.(ORAL)

The petitioner is seeking anticipatory bail in FIR No. 177 dated 20.07.2020, under Sections 307, 498-A and 506 IPC registered at Police Station Model Town, Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 21.08.2020. Order dated 21.08.2020 is as under:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in respect of FIR No.177 dated 20.07.2020 under Sections 307, 498-A and 506 IPC registered at Police Station Model Town, Hoshiarpur.

Learned counsel for the petitioner argues that the petitioner has only been roped in the present case on the basis of the allegations that the petitioner was having illicit relationship with Kuldeep Kumar, who is stated to have forcibly administered poison to his wife Raveen Kaur. Learned

counsel for the petitioner submits that keeping in view the allegations which stand as of now, it is admitted that the petitioner was not present at spot and, therefore, the petitioner cannot be roped in respect of Section 307 IPC.

Learned State counsel as well as learned counsel for the complainant submit that the involvement of the petitioner can only come to light during the investigations, as to whether, the poison was administered to the complainant with the connivance of the petitioner or not. The custodial interrogation of the petitioner is necessary to find out the said truth.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

At present, there is nothing on record to prove that the petitioner had the knowledge of the incident which happened on 19.07.2020, wherein, Kuldeep Kumar forcibly gave poison to his wife Raveen Kaur. That being so, the petitioner has made out a case for the grant of anticipatory bail.

Learned counsel for the petitioner submits that the petitioner is ready to join and cooperate in the investigation.

The petitioner is directed to join the investigation forthwith. In the event of her arrest, she shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on her furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

(i) That she shall make himself available for interrogation by the police officer as and when required.

(ii) That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.

(iii) That she shall not leave India without prior permission of the Court.

(iv) That she shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.

It is made clear that the petitioner will co-operate in all respects in the investigations and in case this Court is informed that the petitioner is not cooperating, this order passed today will be reviewed.

Adjourned to 9.11.2020 .”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Madan Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case she is required for the same in future as well.

In view of the above, the order dated 21.08.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 09, 2020

harsha/naresh.k

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No