

214

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

CRM-M-33217-2020 (O&M)

Date of Decision: 04.12.2020

PRABHJOT KAUR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Rana Harjasdeep, D.A.G., Punjab.

Mr. Shivender Pal Singh, Advocate
for respondent No.2.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Prayer is for grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.199 dated 09.08.2020 registered under Sections 306 and 34 IPC at Police Station Kathunangal, District Amritsar.

Notice of motion was issued on 16.10.2020. Petitioner is sister of wife of the deceased. Learned counsel for the petitioner contended that no abetment is proved on behalf of the petitioner in suicide of the deceased.

Vide the aforesaid order dated 16.10.2020, learned counsel for the petitioner was directed to file his power of attorney as according to the parties, the dispute has already been resolved between them. Learned State counsel was also directed to have further instructions whether the dispute has been settled or not. The power of attorney on behalf of the complainant has already been placed on record.

Learned counsel for the complainant has verified the factum of settlement between the parties and the same is in affirmative.

Learned State counsel however contended on 18.11.2020 that no settlement has been arrived at between the parties. An affidavit was directed to be placed on record in that context.

Affidavit of complainant Hazara Singh dated 27.11.2020 has been placed on record and the deponent has endorsed the factum of settlement between the parties. The complainant does not wish to pursue the case any more and has no objection in case the petitioner is granted anticipatory bail.

In view of aforesaid position, the present petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 10.12.2020 and in the event of his arrest, she shall be released on bail on

her furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner 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 her from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender her passport, if any.

December 04, 2020

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No