

207

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

Date of Decision: 13.01.2020

1.CRM-M No.30855 of 2019

Desh Raj**Petitioner**

Vs

State of Punjab**Respondent**

2.CRM-M No.30894 of 2019

Amarjit Kaur**Petitioner**

Vs

State of Punjab**Respondent**

3.CRM-M No.33356 of 2019

Karnail Kaur**Petitioner**

Vs

State of Punjab**Respondent**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. S.S. Gill, Advocate
for the petitioner(s).

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. I.B. Bhandari, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Vide this common order, CRM-M No.30855 of 2019 titled Desh Raj Vs. State of Punjab, CRM-M No.30894 of 2019 titled Amarjit Kaur Vs. State of Punjab and CRM-M No.33356 of 2019 titled Karnail Kaur Vs. State of Punjab are being disposed of.

Prayer is for grant of anticipatory bail in case bearing FIR No.99 dated 18.06.2019, registered under Sections 306, 34 IPC at Police Station Sadar Nabha, District Patiala.

On 27.08.2019, following order was passed by the Co-ordinate Bench:-

“Notice of motion (in CRM-M-33356-2019).

Power of Attorney filed on behalf of the complainant (in CRMM-30855 and 30894 of 2019) is taken on record.

Prayer in these petitions is for grant of anticipatory bail to the petitioners in case F.I.R. No.99 dated 18.06.2019 under Sections 306, 34 of the Indian Penal Code, registered at Police Station Sadar Nabha, District Patiala.

Learned counsel representing the petitioner(s) contended that petitioner—Karnail Kaur is wife of deceased Sukhchain Singh. The matter relates to the matrimonial dispute and discord between spouses and on that account, divorce petition was filed by petitioner —Karnail Kaur on 03.10.2018. Relations were so

strained that subsequently, Calandra was filed on 31.05.2019 for having caused injuries to petitioner-Karnail Kaur and at the time of arrest, petitioner-Karnail Kaur and other petitioners Desh Raj and Amarjit Kaur were living separately and not in the house of the deceased and Karnail Kaur has been falsely implicated in this case for having illicit relations with Desh Raj, who is Mama of petitioner-Karnail Kaur. The petitioners have been falsely implicated in the case and they are ready to join the investigation.

Let the petitioners join the investigation and would come present as and when required for the purposes of investigation. In the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal bonds and surety bonds to the satisfaction of Arresting/ Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Adjourned to 31.10.2019.

Photocopy of this order be placed on the file of other connected case.”

Desh Raj is uncle (mama) of Karnail Kaur. Amarjit Kaur is mother-in-law of deceased Sukhchain Singh husband of Karnail Kaur. There was a matrimonial discord between Sukhchain Singh and Karnail Kaur and a divorce petition was filed by Karnail Kaur under Section 13 of the Hindu Marriage Act. In respect of occurrence dated 14.12.2018, kalandra was issued by the police under Sections 107, 150 and 151 Cr.P.C on

31.05.2019 in the context of causing injuries to Karnail Kaur. Petitioners were not living in the house of deceased Sukhchain Singh. Karnail Kaur has been implicated for having illicit relations with Desh Raj.

Learned State counsel on instructions from ASI Krishan Lal states that the petitioners have joined the investigation and they are not required for any further investigation of the case.

In view of aforesaid position, interim order dated 27.08.2019 passed by the Co-ordinate Bench is made absolute. However, petitioners shall keep on joining the investigation as and when called upon to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C which are as under:-

- i) that the petitioners shall make themselves available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioners 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 such facts to the Court or to any police officer;
- iii) that the petitioners shall not leave the country,

without prior permission of the Court and shall
surrender their passports, if any.

These petitions are accordingly disposed of.

January 13, 2020	(RAJ MOHAN SINGH)
<i>Prince</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No