

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41643-2019 (O&M)

Date of Decision: 19.02.2020

Charanjit Kaur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Sukhpreet Grewal, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

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. 15 dated 26.03.2019 under Sections 302 IPC read with Section 34 IPC and Sections 25 and 27 Arms Act, 1959 (offence under Sections 120-B, 506, 148 and 149 IPC added later on), registered at Police Station Verowal, District Tarn Taran. 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 27.09.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that Rajinder Singh (eye-witness) got recorded the FIR pertaining to murder of Jagdev Singh (nephew of complainant) wherein the allegations were made against two unknown men who fired with their respective weapons at the victim. The complainant with Kulwant Singh (pillion rider) was following the motorcycle driven

by Jagdev Singh with Sukhraj Singh as pillion rider. She has invited the attention of the Court to the statements of other eye witnesses recorded under Section 161 Cr.P.C, which echoes the voice of the complainant.

Learned counsel has submitted that on 27.03.2019, Rajinder Singh got recorded the supplementary statement indicting five more persons, namely, Lovepreet Singh, Gursewak Singh, Sukhbir Singh, Ravneet Kaur and Charanjit Kaur without giving any particulars regarding their involvement. Similarly, on 29.03.2019, another supplementary statement of complainant Rajinder Singh was recorded wherein he deviated from his original version to introduce another victim, namely, Vijay Singh who suffered gun shot injuries as according the complainant, he was also travelling with assailants. She submits that there is nothing to connect the petitioner with the alleged crime who is mother of Lovepreet Singh.

Notice of motion for 19.02.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified 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 who is assisted by ASI Avtar Singh does

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 27.09.2019 is made absolute.

19.02.2020

Jasmine Kaur

(MANOJ BAJAJ)

JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No