

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

CRM-M No.89 of 2021

Date of Decision : 06.01.2021

Pammi @ Paramjit Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Ajay Pal Singh, Advocate,
for the Petitioner.

SUDIP AHLUWALIA J. (ORAL)

The instant Petition has been filed under Section 438 of the Code of Criminal Procedure seeking Anticipatory Bail in case FIR No.0091, dated 29.05.2017, registered under Section 306 of the Indian Penal Code, at Police Station Samana, District Patiala.

2. It transpires that the Petitioner had already been granted confirmed Anticipatory Bail by this Court long back on 04.10.2017 in CRM-M No.28520 of 2017.

3. She, however, does not appear to have been called for interrogation during investigation, but has been subsequently summoned by the Ld. Trial Court under Section 319 of the Cr.P.C .

4. At that juncture, a fresh application seeking Anticipatory Bail was unnecessarily filed on her behalf in the Trial Court despite the fact that she had already been granted such bail by this Court long ago.

5. The Ld. Court below correctly did not pass any order on the aforesaid Bail Application on merits and disposed off the same with the

following observations :-

“Heard. The accused–applicant has been summoned to face trial under Section 306 IPC under Section 319 Cr.P.C., vide order dated 04.03.2020.

Learned counsel for the applicant–accused submits that earlier the applicant had been granted anticipatory bail in this case by the Hon’ble High Court. In case the learned counsel for the applicant wants to avail benefit of the said order, there was no question of filing the instant application under Section 438 Cr.P.C., again seeking anticipatory bail from this Court. However, in case the applicant wants to get any fresh directive to this Court, then she should have approached the Hon’ble High Court. However, in case the applicant surrenders before this Court, the Court will consider the matter in view of the orders passed by the Hon’ble High Court. The application stands disposed of accordingly. File be tagged with the main file.”

6. It is thus seen that in entertaining the Petitioner’s application even the Ld. Sessions Judge had indicated that the fate of the Petitioner in case she surrendered before the Trial Court would be in view of the orders already passed by this Court on her Anticipatory Bail application.

7. For the aforesaid reasons, no further orders need to be passed on the present Petition which is accordingly disposed off with liberty to the Petitioner to surrender before the Ld. Trial Court and seek appropriate relief in accordance with law.

January 06, 2021

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No