

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

(236)

CRM-M-4770-2021.
Date of Decision:-08.11.2021.

Kulwant Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Munish Gupta, Advocate for the petitioner.

Mr. A.K. Kaundal, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of pre-arrest bail in case FIR No.91 dated 29.05.2017, under Section 306 of IPC and subsequently added Section 120-B of IPC, registered at Police Station Samana, District Patiala.

On 02.03.2021, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Prayer is for grant of anticipatory bail in case FIR No.91 dated 29.05.2017 under Section 306 IPC (Sections 120-B IPC added later on) registered at P.S Samana, District Patiala.

FIR was registered on the statement of one Babu Singh, who alleged that his son was having relationship with Sukhwinder Kaur daughter of the petitioner. On 26.05.2017, he

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was informed that his son Gurpreet Singh had consumed some poisonous substance and was admitted in Rajindra Hospital, Patiala. It is alleged that Pammi-daughter of the petitioner, the petitioner and Bikkar Singh used to threaten son of the complainant and had taken considerable amount of money from him, because of which he committed suicide.

During investigation, the petitioner was found innocent. An application under Section 319 Cr.P.C was moved by the complainant whereupon, the petitioner has been summoned vide order dated 04.03.2020.

Learned counsel for the petitioner submits that the petitioner is 68 years old lady and that co-accused Paramjit Kaur and Raj Kaur have been granted the concession of pre-arrest bail by this court.

Notice of motion for 28.04.2021.

Meanwhile, the petitioner may appear before the learned trial Court on or before the date fixed. On his doing so, he shall be enlarged on bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking before the concerned Court to continue appearing as and when required apart from following all the terms and conditions fixed in this respect.”

Learned counsel for the petitioner has submitted that in pursuance of the above order, the petitioner has appeared before the trial Court and has been enlarged on bail by the trial Court and has furnished the

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necessary bail and surety bonds to the satisfaction of that Court and has also given the necessary undertaking.

Learned State counsel, on instructions from ASI Angrej, reiterates the assertions made by the learned counsel for the petitioner.

Keeping in view the above facts and circumstances, moreso, the fact that in pursuance of the order dated 02.03.2021, the petitioner has appeared before the trial Court and has been enlarged on bail and furnished the necessary bail and surety bonds and the necessary undertaking has also been given, the present petition for grant of anticipatory bail to the petitioner is allowed and the order dated 02.03.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

November 08, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No