

CRM-M No.14632 of 2021

Date of Decision : 26.08.2021

Balvir Kaur alias Pinki

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Kuldeep Singh, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.29 dated 03.03.2021 registered under Section 306 IPC at Police Station Model Town, District Hoshiarpur.

3. On 01.04.2021, the following order was passed:-

“Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.29 dated 03.03.2021 registered under Section 306 IPC at Police Station, Model Town, District Hoshiarpur.

Learned counsel contends that the petitioner is a married woman and the allegations of her having illicit relationship with the husband of the deceased i.e. son-in-law of the complainant are baseless, besides neither has any suicide note been recovered by the police, nor is there any allegation in the FIR that the petitioner abetted the deceased to commit suicide.

Notice of motion.

Mr. Sandeep Kumar, learned DAG, Punjab, accepts notice and requests for time to obtain instructions and to file reply.

Adjourned to 07.05.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to her furnishing bail/surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated. ”

4. Today, learned counsel for the petitioner contends while learned State counsel, on instructions from *ASI Gurdeep Singh*, confirms that pursuant to the order of this Court dated 01.04.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that her custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 01.04.2021, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be read as an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

26.08.2021

'Rajneesh/Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>