

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRM-M-15324-2021

Date of decision: 03.08.2021

Seeta Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Achin Gupta, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.37 dated 18.02.2021 under Sections 306, 511 and 506 of the Indian Penal Code, 1860, registered at Police Station City Muktsar, District Sri Muktsar Sahib.

On 07.04.2021, the following orders were passed:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case only for the reason that she is the mother of co-accused Aman Kumar who is the alleged paramour of the wife of the deceased; the petitioner is a senior citizen and a housewife who has no link or concern whatsoever with the alleged crime; the petitioner has no other criminal case pending against her; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the allegations against the petitioner are absolutely vague which are to the effect that the petitioner was supporting her son in the course

of his affair with the wife of the deceased and such allegations would not constitute an offence of “abetment” under Section 107 IPC; the main accused-Aman Kumar has already been arrested and is presently in custody and that the petitioner is ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.

Mr.Sandeep Kumar, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 03.08.2021.

In the meanwhile subject to the petitioner’s joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of her arrest in FIR No.37, dated 18.02.2021, registered under Sections 306, 511, 506 IPC at Police Station City Muktsar, District Sri Muktsar Sahib, she shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel, upon instructions, from ASI Jasbir Singh submits that the petitioner has joined the investigation and is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 07.04.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

03.08.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No