

208(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-15829-2021

Date of decision-26.10.2021

GURMITO @ GUDDI

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.D. Sachdeva, Advocate  
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

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MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.35 dated 05.03.2021, under Sections 306/34 Indian Penal Code, 1860, registered at Police Station Goraya, District Jalandhar. The petitioner apprehended her arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 09.04.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Counsel for the petitioner prays for grant of anticipatory bail to the petitioner in FIR No.35 dated 05.03.2021 registered under Sections 306/34 IPC at Police Station Goraya, District Jalandhar.*

*It is contended that the deceased Kehar Chand took his life by consuming poison and also gave same poison to his son Ekam and daughter Prabhjot. It is further contended that there was a matrimonial*

*dispute between Kehar Chand and Rimpi @ Mona. The petitioner herein is related to said Rimpi and is living in a separate village along with her two sons. She has no role to play in the matrimonial life of deceased and Rimpi other than being the person, who introduced them both. Moreover, the allegations set out in the FIR would not show that the petitioner had instigated the deceased in any manner to take his life.*

*Notice of motion.*

*Ms. Samina Dhir, DAG, Punjab, who is present through the medium of video conferencing accepts notice for the respondent-State.*

*Adjourned to 08.10.2021.*

*Meanwhile, the petitioner is directed to join the investigation within a period of one week and on her doing so, the petitioner be released on interim bail subject to her furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided 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 Harjeet Singh does not dispute this fact that the petitioner has joined the investigation and she is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 09.04.2021 is made absolute.

**(MANOJ BAJAJ)**  
**JUDGE**

**26.10.2021**

*Vipin kumar*

Whether speaking/reasoned :  
Whether Reportable :

|     |    |
|-----|----|
| Yes | No |
| Yes | No |