

214 (1)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16841-2021

Date of decision-17.08.2021

BHAJNO KAUR

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S, Sekhon, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

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.24 dated 22.02.2021 under Section 304 Indian Penal Code, 1860, registered at Police Station Bhikhi, District Mansa. 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 22.04.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the son of the complainant was found unconscious on 21.02.2021, who later on died and in the FIR, it was suspected that some unknown persons had administered some intoxicating substance to the victim. He contends that the petitioner was not known to the victim, however, the complainant made a supplementary statement on

09.03.2021 implicating the petitioner merely on suspicion. He submits that even as per the supplementary statement, the victim died of overdose of drugs and it is equally possible that he voluntarily consumed the said intoxicant substance.

Notice of motion for 17.08.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified 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 SI Ganga Ram 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 22.04.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

17.08.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No