

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: February 23, 2021

Manpreet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Saransh Sabharwal, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. S.S.Swaich, Advocate,
for the complainant.

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.177 dated 11.08.2020, under Sections 306 and 34 IPC 1860, registered at Police Station, City Kharar, District S.A.S. Nagar. The petitioner apprehended her arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 24.11.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Case taken up through Video Conferencing.

Learned counsel for the petitioner inter-alia contends that the victim Inder Singh ended his life due to matrimonial

differences between him and the petitioner; even if the suicide note is taken as gospel truth, though the same is vehemently denied, the same does not constitute “abetment” within the meaning of Section 107 IPC; co-accused Kulwinder Singh against whom there are similar allegations has been granted ad interim anticipatory bail by this Court and the petitioner is ready and willing to join investigation as and when called for by the investigating agency.

Notice of motion.

Mr.J.S.Ghumman, DAG Punjab, accepts notice on behalf of the respondent-State. Mr.S.S.Swaich, Advocate puts in appearance on behalf of the complainant.

For arguments, adjourned to 08.12.2020.

To be heard along with CRM-M-27438-2020.

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.177, dated 11.08.2020, registered under Sections 306, 34 IPC at Police Station City Kharar, District SAS Nagar, she shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

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 Balwinder Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner 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 24.11.2020 is made absolute.

February 23, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No