

207 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43270-2020 (O&M)

Date of decision:01.09.2021

Amandeep Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Karanjeet Singh Brar, Advocate, for the petitioner.

Mr. Avtar Singh Sandhu, Addl. Advocate General, Punjab.

Mr. Ram Bilas Gupta, Advocate, for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This is the second petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 42 dated 11.5.2020 under Sections 306, 34 IPC registered at Police Station Sadar Moga, District Moga.

Learned counsel for the petitioner submits that the first petition seeking anticipatory bail was got dismissed as withdrawn on 03.12.2020 as the petitioner could not place on record the suicide note at that stage and filing of the petition without suicide note was not intentional on the part of the petitioner.

Learned counsel for the petitioner further submits that deceased Simranjit Singh, brother of the complainant, was married to the petitioner seven years ago and a baby boy was born out of the said wedlock. The petitioner left her matrimonial home and started residing at Kotakpura and thereafter she left her son at Kotakpura and started residing with her sister in some other village due to her duty, assigned to her from one place to another as the petitioner is serving as a Constable in Punjab Police. It is

further submitted that as per the allegations, on 09.5.2020, Simranjit Singh contacted her sister i.e. the complainant and told her that he was being harassed by the petitioner and on 10.5.2020, he committed suicide by consuming poison.

Learned counsel for the petitioner further submits that the petitioner is a constable and in the suicide note (Annexure P-2), nothing has been stated against the petitioner by the deceased husband Simranjit Singh and there is no abetment on the part of the petitioner.

Learned State counsel, on instructions from SI Balwinder Singh, submits that no further interrogation is required since challan has been presented in the present case. He has also filed an affidavit of Deputy Superintendent of Police (City), Moga, dated 25.02.2021 in which para 6 read as under:-

“That during investigation of the case accused Jasvir Singh, Harbans Kaur and Amarjit Singh were arrested by the police on 14.05.2020 whereas accused Amandeep Kaur has been joined in investigation on 01.06.2020 in compliance of order passed by this Hon'ble Court in CRM-M-13237-2020 passed by this Hon'ble Court.”

Keeping in view the fact that the challan stands presented and the petitioner is not required for any further investigation, the petitioner is ordered to be admitted to bail, subject to her furnishing bail bonds to the satisfaction of the CJM/Duty Magistrate concerned, with the stipulation that she shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

Allowed in the above terms.

(HARNARESH SINGH GILL)
JUDGE

01.09.2021
hemlata

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No