

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(215)

CRM-M-20864-2022

Date of decision:- 27.09.2022

Parkash Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Simranjit Singh, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

On 16.05.2022, this Court passed the following order:-

“This is the second petition filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.63 dated 29.03.2022, registered for offences under Section 10 of Protection of Children from Sexual Offences Act, 2012, however, Sections 354-A, 342 and 323 of the Indian Penal Code, 1860 were added later on, at Police Station Chheharta, District Amritsar (Annexure P-1).

Counsel for the petitioner contends that the petitioner is 69 year old mother-in-law of Loveljit Kaur. He submits that the allegation against the petitioner is that despite being aware the fact that her son, Avtar Singh, has been indulging in objectionable acts with his adopted daughter, she suppressed the incident and did not stop him. He asserts that Avtar Singh is working as a Granthi and the FIR (Annexure P-1) is outcome of a matrimonial dispute. He submits that the first petition preferred by the petitioner was withdrawn with liberty to file a fresh one as there were some inadvertent errors therein.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State. He is assisted by Mr. Dinesh Mahajan,

Advocate for the complainant, who has filed Vakalatnama, which is taken on record.

List on 27.09.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, she shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. She shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

Upon instructions received from ASI, Daljeet Singh, State counsel submits that the petitioner has joined the investigation and she is no longer required for custodial interrogation. He has specific instructions to state that main accused, Avtar Singh, is in custody.

In view of the above facts, but without commenting upon the allegations levelled in the FIR, present petition is allowed.

Order dated 16.05.2022 granting interim bail to the petitioner, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

27.09.2022

Kamal

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