

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26169-2022 (O&M)

Date of Decision:- 22.7.2022

Ranjit Kaur

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Gurdeep Singh.

Mr. H.S.Dhindsa, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against her vide FIR No.78, dated 29.5.2022, Police Station Bullowal, District Hoshiarpur, under Section 306, 34 IPC.
2. The FIR was lodged at the instance of Khushwinder Singh wherein it is alleged that his son Amarvir Singh aged 27 years was in friendship with a girl namely Manpreet Kaur, as had been informed by his son himself. However, said Manpreet Kaur and her mother were

threatening and forcing his son to marry Manpreet Kaur on account of which his son used to remain under stress. It is alleged that on 28.5.2022 at about 11.30 am, when the complainant was present at his house along with his wife and son, then Ranjit Kaur i.e. mother of Manpreet Kaur came to their house and started threatening them and stated that either Amarvir Singh should marry her daughter or they will have to face consequences. The complainant's son replied that Manpreet Kaur was already married and as such it was not possible for him to marry her. Upon which Ranjit Kaur became furious and used derogatory words. The complainant's son being upset ended his life by shooting himself with .32 bore revolver.

3. When the matter was taken up for preliminary hearing on 10.6.2022 the following order was passed:

“Apprehending her arrest in FIR No.78 dated 29th May, 2022, registered under Sections 306 and 34 of the Indian Penal Code, 1860 at Police Station Bullowal, District Hoshiarpur, petitioner seeks pre-arrest bail.

Ld. Counsel for the petitioner contends that it will be a debatable question as to whether from the bare reading of the FIR, offence under Section 306 read with Section 34 of the IPC is made out or not ?

Issue notice of motion returnable for 22th July, 2022.

On asking of the Court, Mr. Sukhbeer Singh, Asstt. Advocate General, Punjab appears and accepts notice on behalf of the respondent-State.

At this stage, Mr. H.S. Dhindsa, Advocate has put in appearance on behalf of the complainant and filed his Power of Attorney, today in Court. The same is taken on record.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. She shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

4. Learned State counsel, upon instructions from ASI Gurdeep Singh, has informed that pursuant to interim directions, the petitioner has joined investigation and is not required for custodial interrogation.
5. Having regard to the facts and circumstances of the case and also the fact that the petitioner has already joined investigation and is not stated to be required for any custodial interrogation, the petition merits acceptance. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 10.6.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

22.7.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No