

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(1) CRM-M-32717-2021
Date of decision: 22.11.2022

PARAMJIT KAUR ...PETITIONER
VERSUS

STATE OF PUNJAB ...RESPONDENT

(2) CRM-M-31722-2021

KARAJ SINGH ...PETITIONER

VERSUS
STATE OF PUNJAB ...RESPONDENT

(3) CRM-M-33678-2021

JASWINDER KAUR ...PETITIONER

VERSUS
STATE OF PUNJAB ...RESPONDENT

(4) CRM-M-35559-2021

SURJIT SINGH AND ANR. ...PETITIONER

VERSUS
STATE OF PUNJAB ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Sushma Chopra, Advocate
for the petitioner in CRM-M-32717-2021,
CRM-M-31722-2021 and CRM-M-33678-2021.

Mr. Jatinder Pal Singh, Advocate
for the petitioners in CRM-M-35559-2021.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

On 09.09.2022, the following order was passed:-

“Petitioners are seeking anticipatory bail in case bearing FIR No.96 dated 26.06.2021 under Section 346 IPC and Sections 370 and 120-B IPC added later on, registered at Police Station Kot Ise Khan, District Moga.

Learned counsel for the petitioners contend that in the reply submitted by way of affidavit of Manjeet Singh, Deputy Superintendent of Police, the names of the petitioners have emerged in the statement of the victim that has been recorded under Section 164 Cr.P.C. to the effect that they had facilitated the co-accused Harpreet Singh when her marriage was

forcibly solemnized with him. Initially, the FIR was registered under Section 346 IPC and subsequently, offence under Section 370 read with Section 120-B IPC have been added. The reply depicts the name of one of the accused as Karamjit Kaur @ Kammo w/o Karaj Singh, however, the name of the petitioner in CRM-M-32717-2021 is Paramjit Kaur w/o Karaj Singh. It has also been submitted that the primary allegations have been levelled against Harpreet Singh, co-accused. He was initially arrested when the FIR was registered under Section 346 IPC and granted regular bail as the offence was bailable. On the addition of offence under Section 370 and 120-B IPC, he has been granted anticipatory bail by the Court of learned Addl. Sessions Judge, Moga in terms of the order dated 09.08.2021.

Learned State counsel seeks adjournment to clarify with respect to the particulars of the petitioner in CRM-M-32717-2021 and furnish better reply. It has also been pointed out that the petitioners are yet to join the investigation as their arrest has been stayed.

Adjourned to 22.11.2022.

Meanwhile, the petitioner(s) shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner(s) shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Photocopy of this order be placed on the files of connected cases."

Learned counsel for the petitioners contend that in pursuance of interim directions, the petitioners have joined the investigation.

On instructions from ASI Nichhatar Singh, learned State counsel has not disputed the aforesaid factual aspects and also submits that the petitioners have joined the investigation and their custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 09.09.2022, granting interim bail to the petitioners is made absolute.

The petitions are allowed.

22.11.2022

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No