

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

CRM-M-30038-2022 (O&M)
Date of Decision:- 06.12.2022

Kamalpreet Kaur

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aditya Dassaur, Advocate, for the petitioner.

Ms. Swati Batra, DAG, Punjab.

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.27, dated 03.03.2022, Police Station Lohian, District Jalandhar, under Sections 160, 307, 148, 149, 120-B IPC and Sections 25, 27, 54, 59-A of Arms Act (Section 29-B of Arms Act was added later on).
2. At the time of issuance of interim bail the following order was passed on 15.7.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against her vide FIR No. 27, dated 03.03.2022, Police Station Lohian, District Jalandhar, under Sections 160, 307, 148, 149, 120-B

IPC and Sections 25, 27, 54, 59-A of Arms Act (Section 29-B of Arms Act was added later on).

The FIR was lodged pursuant to receipt of secret information by SI/SHO Rajinder Singh to the effect that Sunil Masih @ Jeeona, Navi @ Beeji, Manjinder Singh @ Ravi, Satta Cheema, Balraj Singh, Heera, Kamaljit Singh @ Gaggi, Deepu and Sukha accompanied by 10/15 unidentified persons who were all armed with illegal weapons went to village Kutbiwal in 5/6 vehicles and fired indiscriminately endangering lives of the persons present there. It is further alleged that on account of the indiscriminate firing Gurpreet Singh was grievously injured. It is further alleged that extensive damage was also caused in the neighborhood.

Learned counsel for the petitioner has submitted that even as per FIR the petitioner is nowhere named and that she is being nominated as an accused only on account the fact that she happens to be mother of Satwant Singh who has been named on the basis of a disclosure statement allegedly made by a co-accused. It has been submitted that the petitioner is a license holder and a weapon i.e. .32 bore pistol belongs to her which was handed over by her to the police when the police asked for the same. Learned counsel has further submitted that even if it is assumed that her son was involved in the occurrence still there is nothing on record to show that the petitioner had herself handed over the weapon to her son or had connived in any manner with the remaining accused.

Notice of motion for 10.10.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall

join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel has submitted that the petitioner has joined investigation and is not required for any custodial interrogation. It has also been informed that the petitioner is not wanted in any other case.
4. In view of the aforestated position wherein the petitioner has joined investigation and she is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 15.7.2022 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.

06.12.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No