

215 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32432-2022

Date of Decision: 11.10.2022

SARBJEET KAUR

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Neeraj Yadav, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

On 27.07.2022, the following order was passed:-

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.55 dated 29.05.2021, registered under Sections 493/420/509/323/506 IPC, 1860 (Sections 420/494/181/182/193/204/209/120-B IPC added later on) at Police Station Dhariwal, District Gurdaspur.

Learned counsel for the petitioner contends that the marriage of the complainant-Gurdeep Kaur was earlier solemnized with the brother of Rajwinderpal Singh, co-accused. After the death of his brother, Rajwinderpal Singh had solemnized marriage with the complainant. The petitioner is in live-in relationship with Rajwinderpal Singh and she has not solemnized marriage with him. Rajwinderpal Singh, the co-accused who is the husband of the complainant has been granted pre-arrest bail by the Co-ordinate Bench of this Court in terms of order dated 24.11.2021 passed in CRM-M-23440-2021. Rajwinderpal Singh has also complied with the monetary obligations as imposed upon him for the welfare of the two children of the complainant.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab accepts notice on behalf of the respondent-State.

Mr. Gobind Singh Randhawa, Advocate has put in appearance on behalf of respondent No.2/complainant and filed Vakalatnama, which is taken on record.

Adjourned to 11.10.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation

and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Rajinder Kumar, has not disputed the aforesaid factual aspects and further contends that the custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 27.07.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

11.10.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No