

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-38292-2020(O&M)

Date of decision : 28.04.2022

Amanpreet Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Suresh Kumar Arya, Advocate
for the petitioner.

Mr.Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.31 dated 14.03.2020 registered under Sections 420, 120-B IPC (Sections 419 and 201 IPC added later on) at Police Station Beas, District Amritsar.

On 09.02.2021, a coordinate Bench of this Court was pleased to pass the common order in four petitions and the relevant part of said order pertaining to the present petition is reproduced hereinbelow:-

“CRM-M-38292 of 2020

Though learned counsel for the petitioner in this case, i.e. Amanpreet Kaur, is not audible (though is visible), however in view of what has been submitted by learned State counsel hereinabove, she too is directed to join investigation within one week and upon her so joining if she is sought to be arrested, she would be released on bail, on her furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate.

She shall, further, abide by all the conditions stipulated in

Section 438 (2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, she would appear before the learned Ilqa Magistrate immediately, who would then summon the arresting officer and direct him to join her in investigation.

It is made clear that at the time of joining investigation, she will give a list of all mobile phone numbers used by her in the past 2½ years, as also the numbers used by her husband and co-accused, i.e. Balbir Singh @ Kali Bachi, to determine his present location and if she does not do so, the interim order would be liable to be vacated on the next date of hearing itself.

A copy of this order be placed on the file of the other connected matters too.

February 09, 2021

(AMOL RATTAN SINGH)
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation. It is further submitted that the petitioner had not been named in the FIR. The petitioner has been implicated only on account of being the earlier wife of Balbir Singh. It is also submitted that the petitioner is now married to Shamsher Singh.

Learned State counsel, on instructions from ASI Sarabjit Singh has submitted that the petitioner has joined investigation and is not required for further investigation. It is also submitted that the petitioner had given a list of all mobile numbers used by her and has cooperated with the investigation.

Keeping in view the above said facts and circumstances moreso, the fact which has been noticed in the order dated 09.02.2021 and the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 09.02.2021 is made absolute.

opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

April 28, 2022
Davinder Kumar

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