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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-47783-2022

Date of decision : 09.11.2022

Kiran Lata @ Kiran Aunti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Gourav Goel, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.44 dated 08.02.2021 registered under Sections 306 and 120-B of the Indian Penal Code, 1860 (added later on) at Police Station Kotwali Patiala, District Patiala.

On 17.10.2022, this Court had passed the following order:-

“Learned counsel for the petitioner inter alia contends that the petitioner is a 62 year old lady who has been implicated in the present case only on account of the fact that she is the Aunt of Kavita i.e., wife of the deceased. It is further submitted that the said Kavita has been granted the concession of anticipatory bail by this Court vide order dated 26.10.2021 passed in CRM-M-17567-2021. It is contended that the allegations levelled in the FIR do not prima facie constitute the offence under Section 306 of IPC, more so, against the present petitioner.

Notice of motion for 09.11.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of

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

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 17.10.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Mandeep Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 17.10.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 17.10.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of 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 application.

09.11.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No