

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

210

CRM-M-16750-2023 (O&M)

Date of decision: 15.05.2023

Kamaljeet Kaur and another

....Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Shakti Mehta, Advocate for the petitioners

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J.

1. On 18.04.2023, this Court had passed the following order:-

“CRM-15658-2023

Learned counsel for the petitioners submits that inadvertently, an error has occurred in the order dated 03.04.2023, wherein the details of the FIR have been wrongly mentioned. However, the observations made in the order are with regard to the offence alleged under Section 306 and 120-B IPC. It being a case of summoning under Section 319 CrPC, but while granting interim protection to the petitioner, it has been ordered that in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer.

Notice in the application.

Mr. Manipal Singh Atwal, DAG Punjab accepts notice on behalf of respondent-State and has no objection to the prayer made in the application.

For the reasons mentioned in the application, same stands allowed.

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Now, the order dated 03.04.2023 be read thus:-

“Present petition has been filed under Section 438 CrPC for direction to the arresting officer to release the petitioner on bail forthwith in event of his arrest in case FIR No.0214 dated

14.12.2017, under Sections 306 and 120-B IPC registered at Police Station Samana, District Patiala.

As per the case of the prosecution, there was dispute with regard to the partition of the property and the accused party is alleged to have come to the residence of the first informant while declaring that they will hand over the possession to Gurnam and falsely implicate her deceased husband in a criminal case, which prompted the husband of the first informant to shoot himself with a revolver. On completion of the investigation, the final report has been submitted by the police, wherein, the prosecuting agency did not find sufficient material to prosecute the petitioners, however, they have been summoned by the Court under Section 319 CrPC.

Notice of motion.

Ms. Ruchika Sabherwal, Deputy Advocate General, Punjab, accepts notice on behalf of the State.

In case, the petitioners surrender before the trial Court on or before 22.04.2023, they be released on bail, subject to their furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.”

Adjourned to 15.05.2023.”

- 2. Learned counsel submits that in pursuance of aforesaid order, the petitioners surrendered before the trial Court and have been granted bail.
- 3. Learned State counsel on instructions from ASI Satpal Singh affirms that aforesaid factum.
- 4. In view of the above, order dated 18.04.2023 is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.

(AMAN CHAUDHARY)
JUDGE

15.05.2023

S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No