

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-18017-2023

Date of decision: 07.08.2023

Gurdev Kaur @ Baldev Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Chanakya Batta, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.07 dated 08.01.2021 for the offences under Sections 306, 120-B IPC registered at Police Station Jamalpur District Ludhiana.

2. On 31.05.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked her to join investigation:-

“Learned counsel for the petitioner submits that when the previous petition seeking similar relief was dismissed vide order dated 18.06.2021, learned State counsel had made an incorrect statement that a suicide note had been left behind by the deceased. Learned counsel contends that however, when the co-accused approached this Court for the concession of anticipatory bail, it was stated by the learned counsel for the State that no suicide note had been left behind by the deceased as a result of which the co-accused was extended the concession of anticipatory bail vide order dated 24.05.2022. It has still further been submitted that the investigation in the case in hand is complete as challan

has been presented and nothing is required to be recovered from the petitioner. It has also been prayed and urged that in view of the fact that the petitioner, who is a 74 years old lady, a lenient view be taken and she be extended the concession of anticipatory bail.”

3. Learned counsel for the petitioner submits that in compliance of order dated 31.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Kulwant Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for her custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 31.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

07.08.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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