

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103

CRM-M-18722-2023

Date of Decision : 18.04.2023

Kamaljeet Kaur @ Kamaljit Kaur

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Manav Parteek Sharma, Advocate for the petitioner.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.18 dated 27.01.2023 registered under Sections 323, 324, 427, 506, 148 and 149 of the Indian Penal Code, 1860 (to which Sections 325 and 326 of the IPC were added later on) at Police Station Samrala, Police District Khanna, Ludhiana.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Perusal of the FIR shows that neither any specific role has been attributed to the petitioner nor any injury has been inflicted by the petitioner. Even otherwise, the matter has been compromised between the parties and petition bearing CRM-M-18365-2023 for quashing of the FIR has already been filed before this Court. Nothing is to be recovered from the petitioner and her custodial interrogation is not required in the case. The petitioner is already ready and willing to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Joginder Pal Ratra, Senior D.A.G., Punjab, who is present in the Court, accepts notice seeks time to complete his instructions.

At this stage, Mr. Simranjit Singh, Advocate has put in appearance on behalf of respondents No.2 and 3 and filed his power of attorney in the Court which is taken on record.

Learned counsel for respondents No.2 and 3 admits the factum of compromise and submits that respondent No.2 and 3 have no objection if the petitioner is granted anticipatory bail by this Court.

I have heard learned counsel for the parties and gone through the record.

Keeping in view the facts and circumstances of the case particularly the fact that the matter has already been compromised between the parties, but without commenting upon the merits of the case, the present petition for grant of anticipatory bail is allowed and in the event of arrest, the petitioner shall be released on bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. 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) of the Cr.P.C.

It is made clear, in case the petitioner fails to join the investigation, then the State could be at liberty to move an application for cancellation of the present anticipatory bail granted to the petitioner.

(ASHOK KUMAR VERMA)
JUDGE

18.04.2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No