

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24204-2023 (O&M)
Date of Decision: 24.11.2023

KULDEEP KAUR @ SEEMA AND OTHERS ... PETITIONERS
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. M.S.Sachdev, Advocate for the petitioners.

Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

1. Petitioners are seeking anticipatory bail in case bearing FIR No. 57 dated 14.05.2018 under Sections 363/366-A/376/120-B/323/506/511/212/342 IPC and Sections 3/4/8 of POCSO Act registered at Police Station Mehatpur, District Jalandhar Rural.
2. On 29.05.2023, following order was passed by the Co-ordinate Bench in the main case:

“Status report filed. Learned counsel representing the State is requesting for another adjournment to file the status report.

Learned counsel for the petitioners pointed out that Kamaljeet Kaur and Daljit Singh had filed criminal writ petition under Article 226 of the Constitution of India seeking protection of their life from private respondents No.4 to 8 i.e. Naranjan Singh, Kamaljit Singh, Gursharandeep Singh, Hardeep Singh and Avtar Singh. Copy of petition is Annexure P-8. Copy of order dated 17.12.2021 passed in the said criminal writ petition is Annexure P-9. There is another CRWP-11954-2021 filed by Harmanjeet Kaur seeking protection of life and liberty from respondents No.4 to 8 and copy of order dated 06.01.2022 is Annexure P-11. It is argued that they are summoned on application under Section 319 Cr.P.C. and they are ready to face the trial. They are not the main accused. Therefore,

they may be granted the relief of interim bail.

Learned State counsel is requesting for adjournment.

The fact remains that the trial is pending before the trial Court in which Kamaljit Kaur and Harjit Singh @ Sonu are facing trial whereas the present petitioners are summoned subsequently. Therefore, considering these facts the petitioners are directed to appear before the trial Court within a period of two weeks from today and they be released on interim bail to the satisfaction of trial Court/Duty Judge.

Learned State counsel is directed to file the status report positively on the next date of hearing.

Adjourned to 14.08.2023.”

3. Learned counsel for the petitioners contend that in pursuance of the interim directions, the petitioners have surrendered in the trial Court and have been released on interim bail. After appearance in the Court, the charge has been framed and even statement of one witness on behalf of the prosecution has been recorded.

4. Learned State counsel, on instructions from ASI Rashpal Singh, has not disputed the aforesaid factual aspect.

5. In these set of circumstances, the petition is allowed and the interim bail granted by this Court vide order dated 29.05.2023 is made absolute. However, the petitioners are directed to furnish fresh bail bonds to the satisfaction of the trial Court within a period of one month.

24.11.2023

Janki

(VIVEK PURI)
JUDGE

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