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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32477-2022

Date of Decision:- 09.02.2023

SHAHIDA PARVEEN ALIAS NAGMA ALIAS NIKKI

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

AMARJOT BHATTI, J. (Oral)

The petitioner – Shahida Parveen @ Nagma @ Nikki has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 0029 dated 25.05.2020 under Sections 306, 149 of IPC registered at Police Station City Ahmedgarh, District Malerkotla.

The facts of the case are that the complainant - Gurmeet Kaur gave her statement that she is having a son and a daughter. Her daughter i.e. the victim was married to Harpreet Singh. She was having a daughter, aged about 5 years and a son, aged about 10 years. Due to temperamental differences, she left her husband and shifted along with her children. The said victim started residing with Rafi Mohd. for the last about 1-1/4 years in a rented house. On the day of occurrence i.e. 25.05.2020 at about 11:25 a.m., Rafi Mohd. told her that the victim was lying cold. She reached there along with her son and saw that her daughter was found dead and Rafi

Mohd. was rubbing her hands and feet. About 5-6 days earlier, Nagma @ Nicky, Sada, Anwari @ Rani, Munna and one unknown person had given beatings to her daughter. Because of this reason, she had a miscarriage. Rafi Mohd. disclosed that Manjeet Kaur had ended her life by hanging due to the harassment caused by the aforesaid persons. With these allegations, present FIR has been registered.

Learned counsel for the petitioner argued that the petitioner has already joined the investigation. Even if the said quarrel is taken into consideration, it took place 5-6 days prior to the said occurrence. There is no suicide note nor any abatement on the part of present petitioner. It is further pointed out that the other co-accused namely Anwari and Mohd. Shamshad have been granted regular bail. Copies of their orders are Annexure P-3 and P-4. It is prayed that the *ad interim* anticipatory bail order already passed in her favour may be confirmed.

On the other hand, learned counsel representing the State pointed out that there are serious allegations against the present petitioner. It is a case of unnatural death. It is further alleged that the victim had also suffered miscarriage. Therefore, considering the gravity of offence, the petitioner is not entitled for the relief of anticipatory bail.

I have considered the arguments and have gone through the record carefully. The petitioner was granted interim bail as per order dated 03.08.2022 and in pursuance of this order, she has already joined the investigation. It is a matter of record that there is no suicide note in the present case. The FIR has been registered on the statement of Gurmeet Kaur, who is mother of the deceased victim. Considering the aforesaid facts, no purpose would be served by sending the petitioner behind the bars as she has already joined the investigation. Therefore, the *ad interim*

bail already granted in favour of the petitioner – Shahida Parveen @ Nagma @ Nikki vide order dated 03.08.2022 is accordingly, confirmed, subject to the conditions enshrined under Section 438(2) Cr.P.C.

The petition is, accordingly, accepted.

09.02.2023

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(AMARJOT BHATTI)
JUDGE

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