

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103+208

CRM-M-33843-2022 (O&M)

Date of Decision: 20.01.2023

Jaswinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Karanjeet Singh Brar, Advocate for the petitioner
Mr. Amish Sharma, AAG, Punjab
(assisted by ASI Milk Raj)

JAGMOHAN BANSAL, J. (Oral)

CRM-2777-2023

Application for placing on record order dated 09.08.2022
passed by Additional Session Judge, Fazilka (Annexure P-5) is allowed
and the same is taken on record.

Registry is directed to tag at appropriate place.

CRM-M-33843-2022

On 03.08.2022, the following order was passed:-

“Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail in FIR No.242 dated 09.07.2020, registered for offences under Sections 307, 34, IPC, however, Section 302, IPC was added later on and challan was presented under Section 306, IPC, by deleting the other offences, at Police Station Sadar Fazilka, District Fazilka, Annexure P-1.

Counsel for the petitioner submits that the petitioner was found innocent after investigation and has

been summoned vide order dated 26.11.2021, Annexure P-3 on an application filed under Section 193, Cr.P.C. He submits that the petitioner, who is 41 year old, sister-in-law of the husband of the deceased, is ready to surrender before the Trial Court and join the proceedings.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-state.

In case, the petitioner surrender before the Trial Court on or before 18.08.2022 and joins the proceedings, she shall be ordered to be released on ad interim bail on her furnishing bail/surety bonds to the satisfaction of the Trial Court.”

Learned counsel for the petitioner, *inter alia* submits that in compliance of above order, the petitioner appeared before Trial Court on 09.08.2022 and furnished bail bonds in the sum of Rs.1 Lac with one surety in the like amount.

Learned State counsel, on instructions from ASI Milkh Raj, does not dispute the averments of the petitioner.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 03.08.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State

would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

20.01.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>