

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(206)

CRM-M-38019 of 2022
DATE OF DECISION:-17.04.2023

Harjot Kaur

...Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Akshay Chadha, Advocate, for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

HARKESH MANUJA, J.

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner prays for grant of pre-arrest bail in case FIR No.339 dated 03.08.2022 under Section 306 and 34 IPC, registered at Police Station Sohana, SAS Nagar,

This Court, while issuing notice of motion on 25.08.2022, passed the following order :

“The learned counsel for the petitioner has submitted that in the present case even as per the allegations contained in the FIR the petitioner has no role to play even if suicide was committed. He submitted that the petitioner was only a friend of other co-accused, namely, Naureen, who is the wife of the complainant. He further submitted that apart from the same, the ingredients of Sections 306 and 107 IPC are not fulfilled in the present case.

Notice of motion.

Mr. Amit Rana, Sr. Deputy A.G., Punjab accepts notice on behalf of the State of Punjab and prays for some time to seek instructions.

Adjourned to 27.2.2023.

Meanwhile, the petitioner is directed to join the

investigation and on her doing so, the petitioner be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C..”

Learned counsel for the petitioner states that in pursuance of order dated 25.08.2022 passed by this Court, the petitioner has already joined investigation.

The above factual position is duly acknowledged by learned State counsel, on instructions from ASI Barma Singh, P.S. Sohana, by submitting that the petitioner has joined investigation and his custodial interrogation is no longer required in this case.

In view of the above, the petition is allowed. Interim order dated 25.08.2022 is hereby made absolute, subject to all the conditions as envisaged under Section 438(2) Cr.P.C.

17.04.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No