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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-54493-2023

Date of decision : 11.12.2023

VEERPAL KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Balbir Kumar Saini, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

KULDEEP TIWARI.J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 71 dated 15.09.2023, under Sections 306 read with Section 34 of IPC, registered at Police Station Ajitwal, District Moga.

2. On the last date of hearing the following order was passed:-

“Prayer in this petition, filed under Section 438 of the Code of Criminal Procedure, 1973, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Section 306 read with Section 34 of IPC, in a case arising out of FIR No. 71, dated 15.09.2023, registered at Police Station Ajitwal, District Moga (Annexure P-1)

FIR has been registered on the basis of statement made by the complainant-Himmat Singh (Elder brother of deceased-Joginder Singh).

Learned counsel for the petitioner submits that as per the version of the prosecution, deceased-Joginder Singh was married to Sumanpreet Kaur (younger sister of the petitioner). They both were not on good terms and there was always fight between them. Petitioner- Veerpal Kaur and her brother-Sandeep Singh @ Kali used to intervene in the dispute of husband and wife. It is further alleged that on 12.09.2023, Sandeep Singh @ Kali (brother of the petitioner) alongwith other associates armed with weapons came on two motorcycles and two cars to the house of deceased-Joginder Singh. On being frightened, Joginder Singh-deceased ran away from his house and complainant-Himmat singh was beaten by the assailants. It is further alleged that deceased-Joginder Singh had told the complainant that on 13.09.2023 that his wife- Sumanpreet Kaur and her sister-Veerpal Kaur used to threaten him with dire consequences. Thereafter, on 14.09.2023, Joginder Singh-deceased, committed suicide.

Learned counsel for the petitioner submits that no offence under Section 306 IPC is made out against the petitioner as there is no active role even

alleged by the prosecution. He further submits that regarding the incident dated 12.09.2023 and the injuries suffered by the

complainant, there is no complaint made on 12.09.2023 or 13.09.2023, thus, to implicate and to apply undue pressure upon all the family members of the inlaws of the deceased-Joginder Singh a concocted version has been prepared.

Notice of motion.

Mr. C.L. Pawar, Addl. A.G., Punjab, who is present in Court accepts notice on behalf of respondent/State.

Adjourned to 11.12.2023.

In the meanwhile, petitioner to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, the petitioner shall be released on interim bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 438(2), Cr.PC.

Learned Counsel for the petitioner submits that in compliance of order (supra), the petitioner has joined the investigation and is not required for further investigation.

On the other hand, learned State counsel also submits on instructions from ASI Sandeep Kumar, that the petitioner has joined the investigation and is not required for further investigation.

In view of a specific statement made by the learned State counsel, the order dated 26.10.2023 is made absolute.

The present petition is allowed accordingly.

(KULDEEP TIWARI)
JUDGE

11.12.2023
monika

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No