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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1223-2024 (O&M)

Date of Decision: 20.02.2024

GOLO KAUR
Vs.
STATE OF PUNJAB

.. Petitioner

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Lakhwinder Singh Dandiwal, Advocate for the petitioner.
Mr. Anup Singh, AAG, Punjab.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 286 dated 14.12.2023 registered for offence punishable under Section 306 IPC at Police Station City Bhikhi, District Mansa.
2. On 11.01.2024, the following order was passed:-

“Apprehending her arrest in FIR No. 286 dated 14.12.2023 registered for offence punishable under Section 306 IPC at Police Station City Bhikhi, District Mansa; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the petitioner is a lady aged about 66 years; from the factual matrix of the case ingredients of offence under Section 306 IPC are not made out; allegations of harassment against the petitioner are only instances of routine wrangling between a daughter-in-law and mother-in-law; no recovery is to be effected from the petitioner & she is willing to join investigation as also cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 20.02.2024.

The petitioner is directed to appear before the Investigating Officer on 18.01.2024 at 11:00 A.M. in concerned Police Station and join

investigation. In the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. She shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

3. Learned State counsel, on instructions from HC Baljinder Singh, has stated that pursuant to the order dated 11.01.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the petition is allowed and interim order dated 11.01.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5. This order should not be treated as “blanket” order. It will not be interpreted as granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

20.02.2024

Jasmine Kaur

Whether speaking/reasoned

Whether reportable

(SUMEET GOEL)

JUDGE

Yes No

Yes No