

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14991-2024
DECIDED ON: 22.03.2024

MANPREET KAUR
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. DPS Bajwa, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.104, dated 26.07.2022 (Annexure P-1), under Section 307 IPC, 1860 and Section 25 of Arms Act, 1959, registered at Police Station Nathana, District Bathinda.

Learned counsel for the petitioner contends that initially FIR was registered against two unknown persons but on subsequent statement made after one month from the date of occurrence, the name of the petitioner was nominated as an accused on the disclosure statement made by the complainant. He also asserts that the petitioner has no concern with the main accused Manpreet Singh @ Bhuri, which can be well established if call details of main accused named above can be examined.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab

accepts notice on behalf of the respondent-State and on instructions from HC

Gurminder Singh, submits that the petitioner in connivance with Manpreet Singh @ Bhuri, with whom she was in illicit relationship conspired and made an attempt to kill her own husband. He on the strength of these allegations seeks dismissal of the instant petition. He also submits that call details have been collected which show that the petitioner as well as the other accused Manpreet Singh @ Bhuri were in constant touch with each other for a long period. He seeks for custodial interrogation of the petitioner in the backdrop of such allegations, which is must to reach to a logical conclusion to complete the investigation in the instant FIR.

Having heard the learned counsel for the parties.

Considering the nature of allegations which would depict *prima facie* active role of the petitioner in the commissioning of crime, which is established from the call details, as has been pointed out by learned State counsel that the present petitioner is in constant touch with co-accused Manpreet Singh @ Bhuri added with the fact that there is no reason to disbelieve the complainant, who has alleged against his own wife along with other persons named in the subsequent supplementary statement as and when he came to know about their identity.

As far as the contention of learned counsel for the petitioner with regard to not naming the petitioner initially in the FIR is concerned, it contained the reference to unknown persons particularly on account of his inability to identify the persons at the time of occurrence since it was 11:30 p.m. at night and in the dark, who made attempt to kill him.

In the light of above submissions, this Court is of the considered view that trial Court has rightly and justifiably reached to the conclusion that

the petitioner Manpreet Kaur is absconding since the registration of FIR and investigation is being hampered for which the custodial interrogation of her is must wherein the investigation in the present case is at a critical stage with the allegations that the petitioner along with other accused persons hatched conspiracy and three gun shots have been fired to the person of the victim i.e. in stomach and shoulder, which is declared to be dangerous to life as per Medico Legal Report.

Hence, the present petition being devoid of any merit stands dismissed.

22.03.2024
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No