

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
102+214

CRM-M-16355-2024 (O&M)
Date of decision: 25.04.2024

MANPREET KAUR AND OTHERS
V/s
STATE OF PUNJAB
...PETITIONERS
...RESPONDENT

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. S.K. Kanojia, Advocate
for the petitioners.

Mr. Anup Singh, AAG, Punjab.

SUMEET GOEL, J.

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case bearing FIR No.183 dated 27.11.2018, registered for the offences punishable under Section 306 of IPC at Police Station, Dasuya District Hoshiarpur.
2. On 04.04.2024, the following order was passed:-

*“Apprehending their arrest in FIR No. 183 dated 27.11.2018 registered for offence punishable under Section 306 of IPC at Police Station Dasuya, District Hoshiarpur; the petitioners have preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail. Inter alia contends that the petitioners were exonerated by the police during the course of investigation & have been summoned for facing trial as additional accused vide order dated 20.12.2019 passed by the trial Court exercising powers under Section 319 of Cr.P.C; the petitioners have earlier filed a quashing petition (CRM-M-4323- 020) against the abovesaid order summoning the petitioners as additional accused in which earlier an interim stay was granted by this Court and ultimately the said petition came to be dismissed by this Court on 12.03.2024 & the petitioners are willing to appear before the trial Court and face trial proceedings in accordance with law.
Notice of motion.*

On asking of the Court, Mr. Adhiraj Singh Thind, AAG, Punjab, appears and accepts notice on behalf of the respondent-State. Adjourned to 25.04.2024.

The petitioners are directed to enter appearance before the trial Court on or before 20.04.2024. Upon the petitioners putting in such appearance, the said trial Court shall admit them to interim bail to its satisfaction.”

3. Learned counsel for the petitioners has submitted that the petitioners have duly entered appearance before the concerned Trial Court in terms of the order dated 04.04.2024. Learned counsel for the petitioners has further submitted that the petitioners shall continue to appear before the concerned Trial Court in accordance with law and face trial therein.

4. Learned State counsel, on instructions from ASI Mohinder Singh, has stated that pursuant to the order dated 04.04.2024, the petitioners have joined investigation and are no longer required for custodial interrogation.

5. In view of above, the present petition is allowed and interim order dated 04.04.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. This order should not be treated as “blanket” order. It will not be read granting petitioners 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.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioners violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
9. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)

JUDGE

April 25, 2024

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