



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-19371-2024
Date of decision: July 29th, 2024

Sukhwinder Kaur
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

Mr. Vaibhav Narang, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.15 dated 17.03.2023 under Sections 307, 452, 148, 149 (Sections 302, 449, 201, 34 added later on and Sections 452, 148, 149 deleted later on) of the IPC, registered at Police Station Kacha Pacca, District Tarn Taran.

2. Vide order dated 22.04.2024, the petitioner had been directed to appear and surrender before the trial Court and was directed to be admitted on interim bail on her furnishing bail bonds to the satisfaction of the trial Court. The relevant part of the said order reads as under:-

“Learned counsel for the petitioner, inter alia, contends that it is a matter of record that the petitioner was not challaned by the investigating agency. Learned counsel has submitted that when the grandson of the complainant stepped into the witness box as PW-1, he alleged that the

petitioner was present with the co-accused and had raised a lalkara at the relevant time. Learned counsel has submitted that other than this, no other role had been attributed to the petitioner much less of having inflicted any injury on the person of the deceased or any other person at the relevant time. He submits that the petitioner has been summoned under Section 319 of the Cr.P.C. to face trial as an additional accused, therefore, there is a genuine apprehension on his part that he could be arrested and sent to custody when he appears before the trial Court.”

3. Learned counsel for the petitioner submits that in compliance of order dated 22.04.2024, the petitioner had appeared before the trial Court and furnished bail bonds.
4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having appeared before the trial Court.
5. In view of the above, the petition is allowed and interim order dated 22.04.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

July 29th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No