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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-30939-2023 (O&M)

Date of decision : 29.01.2024

Charanjeet Kaur @ Channi

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Impinder Singh Dhaliwal, Advocate,
for the petitioner.

Mr. Jashanpreet Singh, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.294 dated 12.12.2022, under Section 306 of the Indian Penal Code, 1860 (*for short 'the IPC'*), registered at Police Station, City Malout, District Sri Muktsar Sahib.

2. Allegations are that petitioner instigated and abetted the husband of complainant to commit suicide.

3. This Court granted interim bail to the petitioner on 07.07.2023, in the following manner:-

“Learned State counsel on instructions from ASI Jagtar Singh fairly apprised the Court that co-accused have already been granted the concession of pre-arrest bail. He also submitted that after investigation, challan

has been presented and even the charges are also framed on 28.04.2023.

Since no one is appearing on behalf of the petitioner, purely in the interest of justice, posted for 21.08.2023.

However, in view of the fact that petitioner is a woman, having minor children, she be released on interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

Copy of this order be sent to the Jail Authority concerned as well as petitioner.”

4. Learned counsel contends that petitioner was granted interim bail by this Court on 07.07.2023 and she is regularly appearing before learned trial Court. Further contends that there is no apprehension to the prosecution witnesses or that she is likely to hamper the trial, in any manner.

5. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court and she is regularly appearing before the Court below. There is no allegation that she is likely to misuse the concession of bail or hamper the proceedings in case her interim bail is made absolute; thus, sending her in custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 07.07.2023, is made absolute. She shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. Petitioner shall appear on each & every date and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case there is any misuse of concession on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

29.01.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No