



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

CRM-M-29906-2024

DATE OF DECISION: 14.06.2024

PINKI KAUR

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. P.S. Sekhon, Advocate for the petitioner(s).
Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 438 of Cr.P.C., for grant of anticipatory bail in case FIR No.34 dated 05.04.2021 registered under Sections 302/148/149 IPC at Police Station Sadar Ahmedgarh, District Sangrur.

2. Learned counsel for the petitioner submits that as per the case of prosecution on 02.04.2021, the husband of the complainant namely Joginder Singh left his home at 9:00 AM for Malerkotla by taking a lift and near the floor mill at Malerkotla road of their village, he was stopped by co-accused persons who gave beating to him and brought him to the house of Surjit Singh-co-accused where the petitioner along with other co-accused persons, thereafter again gave beatings to Joginder Singh. The petitioner was nominated as an accused on 03.04.2024 after a raid at her house, but no recovery was to be effected from the petitioner

3. Notice of motion.



4. On the asking of Court, learned State Counsel appearing on advance notice, accepts notice on behalf of respondent-State and on instructions from ASI Jaspal Singh opposes the prayer for grant of bail urging that warrants were issued by the Court on 09.06.2021, thereafter on 02.07.2021, then on 02.08.2021, then on 19.09.2021 and lastly on 16.07.2022. The allegation against the present petitioner is that she was armed with danda and caused injuries to the deceased.

5. Be that as it may, on a specific query by the Court, learned State Counsel could not point out any incriminating material against the petitioner or any kind of specific role to connect the petitioner with the alleged incident by any means whatsoever. The allegations are qua the husband of the petitioner who is stated to have given beatings to the deceased to the extent that the deceased succumbed to the injuries. The narration made in the FIR would be necessary to be recorded hereinbelow :-

‘Contents: It is at this time a statement of wife of Late Joginder Singh resident of Matoi aged 30 years mob No 9915708650 has been addressed to I SI SHO Amandeep Kaur 32 JRT Sadar for of FIR under Section 302, 148, 149 of IPC against Surjit Singh son of Balkar Singh Sethi son of Surjit Singh Sukho wife of Surjit Singh Meet Gurmeet sons of Balkar Singh of Meet Singh residents of Matoi Shehbaz son of Dara Khan of Rodiwal Laddi son of Naiti resident of Chuhan-ke now tenant at Matoi has been received through PHG Jagtar Singh 48313 Which is as under Statement of Kashmiro wife of late Joginder Singh resident of Matoi aged 30years, mobile No. 9915708650. It is stated that I am resident of above mentioned address and I am a labourer On 02.04.2021 my husband Joginder Singh was going to Malerkotla from home on foot with regard to



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work at about 9:00 AM then on the way he took lift on a motorcycle from one passerby When he reached about 100 meter ahead of our Flour mill on the road going from our village to Malerkotla then wife of Surjit Singh resident of Matoi stopped the by giving signal to the bike driver and had brought down my husband Joginder Singh from motorcycle. At that time Surjit son of Balkar Singh Sethi son of Surjit Singh came there and they gave beating to my husband. Thereafter they all three brought my husband Joginder Singh to the house of Surjit. At the house of Surjit Singh, Meet Singh son of Balkar Singh, Pinki wife of Meet Singh Gurmeet Singh son of Balkar Singh All residents of Matoi and Laddi son of Neti, resident of Chauhan-ke now tenant at Meet Singh resident of Matoi and Shehbaj son of Dara Khan resident of village Rodiwal were sitting When Surjit Singh brought my husband Joginder Singh then they all gave beating to my husband with dandas, sticks with an intention to kill him due to which he suffered lots of injuries on his body. All this was told by my husband Joginder Singh on return to home on 03.04.2021 I took my husband Joginder Singh to Civil Hospital Ahmedgarh at about 5:00 PM and they referred my husband to Civil Hospital Malerkotla due to lots of injuries. Thereafter I got my husband admitted at CH Malerkotla and his treatment was going on there, all the above said persons gave beatings to my husband with sticks and danda with intention to kill and he succumbed to injuries on 04.04.2021 at around 11:00/11:30 at night. My husband has been murdered by Surjit Singh son of Balkar Singh Sethi son of Surjit Singh Sukho wife of Surjit Singh, Meet, Gurmeet sons of Balkar Singh Pinky wife of Meet Singh residents of Matoi Shehbaz son of Dara Khan resident of Rodiwal Laddi son of Naiti resident of Chauhan Ke now tenant at Matoi by giving injuries with sticks with an intention to kill legal action may be taken against these persons. Today I along with my dever Manjit Singh son of Bir Singh have met you at the outer gate of Civil Hospital Malerkotla and has got recorded my statement to you appropriate legal action may be taken against them. RTI Kashmiro, endorsed Manjit Singh son of Bir Singh, resident of Matoi, attested



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SD/- Amandeep. Kaur SI/SHO, P.S. Sadar Ahmedgarh. Dated 05.04.2021.'

6. After having heard learned counsel for both the parties, this Court finds no reason to deny the petitioner the concession of bail if the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

7. Hence, in view of the admitted set of circumstances before this Court, the petitioner is directed to be released on anticipatory bail subject to her joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

8. However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

9. The petition in the aforesaid terms stands allowed.

(SANDEEP MOUDGIL)
JUDGE

14.06.2024
anuradha

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