

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

2024:PHHC:148033



CRM-M-36080 of 2024 (O&M)

DECIDED ON: 13th November, 2024

Sarbjit Kaur

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.S. Dadwal, Advocate for petitioner.

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

Mr. Inder Pal Singh, Advocate for complainant.

FIR No.	Dated	Police Station	Under Section/s
0124	13.4.2024	Goindwal Sahib, District Tarn Taran	302, 506, 148, 149 of Indian Penal Code and Sections 25 and 27 of Arms Act

GURVINDER SINGH GILL, J (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of the
aforementioned FIR.
2. At the time of issuance of notice of motion, the following order
was passed on 30.7.2024:

“ Petitioner - Sarbjit Kaur, who is a 73 years old lady,
seeks grant of anticipatory bail in respect of a case registered vide
FIR No.0124, dated 13.4.2024 at Police Station Goindwal Sahib,
District Tarn Taran, under Sections 302, 506, 148, 149 of Indian
Penal Code and Sections 25 and 27 of Arms Act.

The FIR was lodged at the instance of Gursewak Singh,
wherein it is alleged that on 13.4.2024 his father Avtar Singh had
gone alongwith milchy animal in the fields, but somehow the said
cattle entered into the fields of Satnam Singh. Dildar Singh son of

Satnam Singh informed the complainant about the same. The complainant replied that his father was tethering the cattle, but Dildar Singh informed that the cattle was unattended. The complainant rushed to the spot and found the dead-body of his father Avtar Singh lying in the fields, which was bearing bullet injuries. The complainant suspected that his father had been killed by Paramjit Singh, Sarabjit Kaur, Nishan Singh, Jarnail Singh, Sajjan Singh, Mukhtiar Singh, Amandeep Kaur @ Soni and one unknown person of the village on account of a dispute regarding land and that the said persons had threatened to kill them a few days back.

Learned counsel for the petitioner submitted that it is a case of blind murder, wherein the petitioner alongwith another half a dozen persons had been nominated solely on account of suspicion without there being any evidence on record. It has been submitted that as per the case of prosecution, the dead-body was bearing bullet injury marks and that it is highly unlikely that an old lady aged about 73 years would have fired from any firearm when another half a dozen male members of the family were also present.

Notice of motion for 13.11.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions issued by this Court on 30.7.2024, the petitioner has since joined investigation and she is not required for any custodial interrogation.

4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 30.7.2024 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

13th November, 2024
reema

(GURVINDER SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>