



CRM-M-49251-2024 (O&M)

- 1 -

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-49251-2024 (O&M)
DATE OF DECISION : 28.10.2024

KANCHAN KAUR

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Rishma Verma, Advocate for the petitioner.
Ms. Sakshi Bakshi, AAG, Punjab.

* * * *

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of anticipatory bail to the petitioner in case FIR No.135 dated 21.08.2024 for offences punishable under Sections 80(2), 3(5) of BNS, 2023, registered at Police Station Basti Bawa Khel, Jalandhar.

2. On 01.10.2024 following order was passed by the Co-Ordinate Bench of this Court:

“xxxx Inter alia, contends that the petitioner is a lady aged 29 years, even as per the FIR, the deceased as also her husband were living separately from the deceased, in the order dated 3.9.2024 passed by the learned Sessions Court whereby the anticipatory bail of the petitioner has been rejected it is clearly reflected that the deceased had uploaded her status on whats-app stating that she would commit suicide & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Anup Singh, AAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 28.10.2024.

The petitioner is directed to appear before the Investigating Officer on 5.10.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be

**CRM-M-49251-2024 (O&M)****- 2 -**

released on interim bail subject to her furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. She shall abide by the condition(s) enumerated under Section 482 (2) of the BNSS. ”

3. Learned State counsel, on instructions from ASI Rajinder Singh, has confirmed that the petitioner has joined investigation and further custodial interrogation of the petitioner is not required.

4. In view of the aforesaid facts and the reasons recorded in the order dated 01.10.2024 and keeping in view the fact that the petitioner has joined investigation, her custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 01.10.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

5. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

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

7. All the pending miscellaneous applications, if any, shall stand disposed of.

28.10.2024

Janki

(HARPREET KAUR JEEWAN)**JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*