

CRM-M-55673-2023 (O&M) 2024:PHHC: 063696 - 1 -

205/4 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-55673-2023 (O&M)  
DATE OF DECISION : 07.05.2024

RANI @ MAHNA AND OTHERS ... PETITIONERS

V/S

STATE OF PUNJAB ... RESPONDENT

**CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Gobind Singh Randhawa, Advocate for the petitioners.

Ms. Himani Arora, A.A.G., Punjab.

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**HARPREET KAUR JEEWAN, J. (ORAL)**

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in case FIR No.092 dated 21.05.2023 under Sections 452/323/354/506/148/149 IPC registered at Police Station Beas, Police District Amritsar (Rural), District Amritsar.

2. At the very outset, learned counsel for the petitioners wants to withdraw the present petition on behalf of petitioner No.1-Rani Mahna on the ground that she had expired. Even, learned State counsel has confirmed about the death of petitioner No.1-Rani Mahna but contends that there are allegations of murder of petitioner No.1 by co-accused of the petitioners namely Kuldeep Singh (husband of petitioner No.1) regarding which FIR No. 34 dated 19.02.2024 has been registered at Police Station Beas wherein the husband of petitioner No.1 is in custody.

3. In view of the above, the petition qua petitioner No.1-Rani Mahna is dismissed as withdrawn.

4. As per order dated 06.11.2023 by recording the following

contentions, the petitioners were granted interim protection:-

“xxxx Learned counsel for the petitioners contend that the petitioners have been falsely implicated in the instant case. Petitioner No.3 has not been named in the FIR. The allegations against the petitioners are to the effect that they were members of unlawful assembly. The allegations with regard to outraging the modesty of the complainant have not been attributed against the petitioners. As per the allegations, the injuries were also attributed on the person of Jaspal Singh who has sworn an affidavit Annexure P-2 indicating the false implication of the co-accused. The co-accused have been granted interim bail by this Court. Furthermore, subsequently, another FIR No.93 dated 21.05.2023, under Sections 307/353/186/332/342/148/149/506 IPC has been registered at Police Station Beas, District Amritsar (Rural) wherein petitioner Nos.1 and 3 have been granted bail.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State and seeks time to submit reply in the matter.

5. On her request, adjourned to 20.12.2023.

6. Meanwhile, it is directed that in the event of arrest, the petitioners be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.

7. To be heard along with CRM-M-48645-2023.”

5. Learned counsel for the petitioners contends that the petitioners Nos.2 and 3 have joined the investigation in compliance of the order passed by the Co-ordinate Bench of this Court.

6. Learned State counsel, on instructions from ASI Balwinder Singh, has also confirmed that petitioners No.2 and 3 have joined investigation and their custodial interrogation is not required. Learned State counsel has further confirmed that petitioners are on bail even in FIR No. 93 dated 21.05.2023, under Sections 307/353/186/332/342/148/149/506 IPC, registered at Police Station Beas, District Amritsar (Rural).

7. In view of the aforesaid facts and the reasons recorded in the

order dated 06.11.2023 and keeping in view the fact that petitioners No.2 and 3 have joined investigation, their custodial interrogation is not required by the Investigating Agency, the present petition qua petitioner No.2-Arshdeep Singh and petitioner No.3-Prabhdeep Kaur @ Prabhjot Kaur is allowed and the order dated 06.11.2023 granting interim bail to petitioner No.2 and 3 is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

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

**07.05.2024**

Janki

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