

206(2nd case) **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-63120-2023 (O&M)
Date of Decision: 25.04.2024

Gurmeet Kaur @ Neetu

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vishavjeet Singh Rishi, Advocate,
for the petitioner.

Ms. Avneet, AAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No.89 dated 30.08.2023 registered under Sections 306 & 506, at Police Station, Sudhar, District Ludhiana Rural.

2. Allegations are that son of complainant, namely, Gagandeep Singh committed suicide on instigation by petitioner and other co-accused.

3. Learned counsel contends that from the bare perusal of FIR, instigation given by petitioner is not discernible. Also contends that petitioner was granted interim bail vide order dated 15.12.2023 and in pursuance of that, she has joined investigation; thus, her custodial interrogation is not required.

4. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required, at this stage.

5. Heard learned counsel for the parties and perused the paper-book.

6. This Court vide order dated 15.12.2023, granted interim bail to petitioner and the same reads as under:-

“Contends that no offence under Section 306 of the IPC is made out against the petitioner. Also contends that 04 co-accused have already been granted the concession of pre-arrest bail by this Court.

Notice of motion for 04.01.2024.

Mr. C.L. Pawar, Addl. A.G. Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

7. In pursuance of the aforesaid order, petitioner has joined investigation and her custodial interrogation is not required by the Police, at this stage; thus, interim order dated 15.12.2023 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

8. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

9. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

10. Disposed off accordingly.

11. Pending criminal misc. application(s), if any, shall also stand disposed off.

25.04.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

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