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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58890-2024 (O&M)
Date of decision: 13.12.2024

Amandeep Kaur @ Aman

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Monika Tanwar, Advocate
for the petitioner.

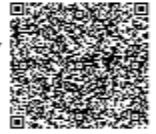
Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in
FIR No.123 dated 20.12.2023 under Section 304-B of the Indian Penal Code,
1860 (for short 'IPC'), registered at Police Station Khemkaran, District Tarn
Taran.

2. On 26.11.2024, the following order was passed:-

*“...Instant petition is preferred under Section 482 of BNSS
seeking anticipatory bail in FIR No.123 dated 20.12.2023 under*

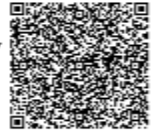


Section 304-B of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Khemkaran, District Tarn Taran.

Learned counsel for the petitioner, inter alia, contends that the petitioner has arranged the marriage of daughter of the complainant, otherwise, she is not related to family of the accused. The petitioner was only a mediator in the marriage. The parents-in-law of the deceased have already been granted the concession of anticipatory bail by this Court vide order dated 08.08.2024 passed in CRM-M-14731-2024 and the order dated 23.09.2024 passed in CRM-M-40565-2024. Further, death of the deceased took place at her parental house and there is nothing on record to make the petitioner liable for the offence breaching the threshold of Section 304-B of IPC.

Notice of motion for 13.12.2024.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273**, **Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427**, **Satender Kumar Antil Vs. CBI, (2022) 10 SCC 51**, **Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375** and **Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer and the petitioner shall co-operate in the investigation. The petitioner shall cooperate with the investigation/Arresting*



Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the same on its own merits, strictly in accordance with law.”

3. Learned State counsel, on instructions from ASI Hardy Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 26.11.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of Cr.P.C.*).

5. The petition stands disposed of.

[HARPREET SINGH BRAR]
JUDGE

13.12.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No