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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of Decision: 24.03.2025

Lakhwinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Atinderpal Singh, Advocate
for the petitioner

Mr. R.S. Thind, DAG Punjab

KIRTI SINGH, J.(Oral)

Prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner, in case FIR No.24 dated 26.04.2024 registered under Sections 306, 34 IPC at Police Station City Mattewal District Police Amritsar.

2. The following order was passed on 27.09.2024:-

“Status report by way of an affidavit of Jaspal Singh, PPS, Deputy Superintendent of Police, Sub-Division Majitha, Amritsar (Rural) along with the documents filed on behalf of the respondent-State are taken on record.

Learned counsel for the petitioner contends that the deceased was living with her parents for five days prior to the alleged occurrence. The father of the victim had given some poisonous substance to the victim, which had been disclosed by the child of the victim to her grand-father (husband of the petitioner) and the video had been recorded when the said disclosure was made. She further



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contends that the petitioner is mother-in-law of the victim and she was present at her own house at the time of the alleged occurrence. The petitioner is ready to join the investigation.

On the other hand, while referring to para No.5 of the above-said status report, learned State counsel submits that the complainant also presented before the Investigating Officer, a pen-drive containing a video of the deceased, wherein she had stated about the reason for commission of suicide by her and about the compromise effected between them previously. The pen drive was taken into police possession vide memo dated 28.04.2024.

Learned State counsel is directed to submit the transcript of the video, which is stated to have been presented by the complainant. The petitioner is also directed to submit soft copy of the video recorded, regarding the information being made by the son of the deceased and also transcript the same.

The concerned Investigating Officer shall also record the statement of the child of the victim, who is stated to be present at the time of the alleged occurrence with the victim.

Adjourned to 14.11.2024.

In the meantime, no coercive action shall be taken against the petitioner.”

3. On 20.02.2025, the following order was passed :

“In compliance of the order dated 27.09.2024, the statement of the child of the deceased was recorded, which is annexed as R-2/T with the status report dated 05.11.2024, which reads hereunder:

‘Stated that I am resident of above stated address and I was studying in the fourth class of Govt. School of village Gaderyada at the house of my maternal grand-father and my mother came to meet me at village Gadaryada and my maternal grand-mother and maternal grand-father (Nani and Nana) quarreled with my mother and my maternal grand-mother and maternal grand-father asked to her to die by



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consuming something and thereafter, my maternal grandmother and maternal grand-father left me at village Kotla Sharf and on the next day, we received message that my mother had consumed some medicine and died. Now, I am residing with my grand father and grand-mother.'

The case is adjourned to 24.03.2025

In the meanwhile, the petitioner is directed to join investigation.

Interim order to continue. ”

4. Learned State counsel on instructions from ASI Mandeep Singh submits that the petitioner has joined the investigation and is not required for any further investigation.
5. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 20.02.2025 passed by this Court, is hereby made absolute.
6. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
7. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.
8. The accused/petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer.



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- 9. The accused/petitioner shall not leave India without prior permission of the Court.
- 10. The accused/petitioner shall join the investigation as and when called by the police.
- 11. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
- 12. Pending application(s), if any, also stands disposed of accordingly.

24.03.2025
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(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No