



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-58491-2023(O&M)

Date of Decision: 28.01.2025

KARAMJIT KAUR THIND

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Y.M.Bhagirath, Advocate for the petitioner.

Mr. R.S.Thind, DAG Punjab..

Mr. Sahilpreet Singh, Advocate and
Mr. G.S.Nahel, Advocate for complainant.

KIRTI SINGH, J. (Oral)

1. Apprehending his arrest the petitioner has filed this petition under Section 438 of Cr.P.C. for grant of anticipatory bail in case bearing FIR No.85 dated 28.10.2023 under Section 306 read with Section 34 of IPC registered at Police Station Sherpur, District Sangrur.

2. The following order was passed on 24.01.2024:-

"1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case bearing FIR No.85 dated 28.10.2023, registered under Sections 306 read with Section 34 IPC at Police Station Sherpur, District Sangrur.

Vide order dated 20.11.2023, notice of motion was issued, upon which status report by way of an affidavit dated 14.12.2023 by the respondent- State has been filed.

Learned counsel for the petitioner contends that there is a delay of 1 month and 18 days in lodging the FIR which is lodged by the step-mother of the deceased. He further contends that the petitioner being mother-in-law of the deceased Jaswinder Kaur has been falsely implicated in the present case whereas she has no role in the commission of crime. He prays for grant of anticipatory bail to the petitioner. He prays that the petitioner is ready to join the investigation.

Learned State counsel as well as learned counsel appearing on behalf of the complainant have opposed grant of bail to the petitioner on the ground that there are specific and categoric allegations against the petitioner with regard to maltreatment and harassment meted out to the deceased on account of demand of dowry and even death has occurred within a period of 7 years from the date of marriage, otherwise, than under normal circumstances.



I have heard the learned counsel for the parties and have gone through the record.

Perusal of status report filed by the respondent-State reveals that the allegations levelled by the complainant who is step mother of the deceased, that in-laws of her daughter killed her daughter Jaswinder Kaur by injecting her with poisonous substance but during enquiry no evidence has come to surface with regard to the allegations levelled by the complainant against the petitioner.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Section 438(2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.

Adjourned to 29.04.2024."

3. Learned State counsel on instructions from ASI Balwinder Singh submits that in compliance of order dated 24.01.2024, the petitioner has joined the investigation and is not required for any further investigation.
4. Having considered the aforesaid facts and circumstances, the petition is allowed. Order dated 24.01.2024 passed by this Court, is hereby made absolute.
5. 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.
6. 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.
7. 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.
8. The accused/petitioner shall not leave India without prior permission of the Court.
9. The accused/petitioner shall join the investigation as and when called by the police.



10. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of 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.

Pending application(s), if any, also stands disposed of accordingly.

28.01.2025

Kavita

Whether speaking/reasoned
Whether reportable

(KIRTI SINGH)
JUDGE

Yes/No
Yes/No