

**IN THE COURT OF SH.ARUNVIR VASHISTA(UIN-PB0050)
ADDL.SESIONS JUDGE, LUDHIANA.**

Bail Application
Regn.No.BA/1780/2019
CNR No.PBLD01-010779-2019
Decided on: 1.4.2019

State	Versus	Jaspreet Kaur, aged 42 years w/o Gurpreet Singh r/o Village Aasi Kalan, Tehsil & District Ludhiana. Applicant
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FIR No.41 dated 1.3.2019
U/s 306 of IPC
P.S. Dehlon, Ludhiana.

Bail Application u/S 438 Cr.P.C.

Present:- Sh.Inderjit S.Bhanohar, Advocate for the applicant
Sh.Dinesh Kumar, Addl.P.P.for the State assisted by
Sh.Gaganpreet Singh, Advocate for the complainant

O R D E R

Police record produced and perused. Heard on the anticipatory bail application u/S 438 Cr.P.C. and on the question of making the interim anticipatory bail already granted to the applicant/accused, into an absolute one.

2. It has been reiterated and again emphasized on the behalf of the applicant/accused that she is totally innocent and had committed no offence of any kind. Whatever allegations that have been levelled against her are totally false and concocted ones to implicate her. In fact she has no link or concern with the story put forth in FIR nor even any ingredient of Section 306 IPC is made out as per contents of allegations. There was no agreement which was ever executed between her and the father of the complainant. Actually, deceased Jagjit Singh had cheated the other accused persons by receiving money from them by putting them under some false impression of compromise and had mis-appropriated

their money regarding which a complaint to the Commissioner of Police was also filed against the deceased which was pending. There were 2-3 alleged suicide notes mentioned in the case while her name simply appeared in one of those with no specific role assign to her therein. Nothing was to be recovered from her. Moreover, she has already joined the investigation in compliance of the directions of this court while granting her the relief of interim anticipatory bail. Her custodial interrogation although asked for by the I.O. is, however, not needed for any purpose whatsoever. She fully co-operated with the police to explain everything about her innocence. On these assertions, a prayer has been made that his interim anticipatory bail already granted, is liable to be made absolute one.

3. Above submissions and contentions have been opposed by the learned Addl.P.P. for State assisted by learned counsel for the complainant contending that the allegations are of grave and serious nature. She is specifically named in the suicide note left by the deceased. Although she has joined the investigation, but her custodial interrogation cannot totally be ruled out which is rather needed as has come in the statement of the I.O. also. So, she does not deserve the relief of anticipatory bail and her interim anticipatory bail already granted be not made absolute one.

4. Submissions and contentions from both the sides have been considered and examined on the matter. The applicant/accused is specifically named in the suicide note, which was left behind by the deceased. The investigation is still in progress. Although she has joined the investigation, yet her custodial interrogation that may be needed in

order to clear the case and investigation, cannot be ruled out. The allegations are of serious and grave nature. Moreover, the relief of anticipatory bail is an extraordinary discretionary relief which is granted in favour of an accused person only when a special case does exist in his/her favour. Keeping in view the serious nature of the allegations, no ground is made out to grant the concession of anticipatory bail to the applicant. Accordingly, the present anticipatory bail application is hereby dismissed.

6. My observations made here-in-above while disposing of bail application shall not affect the merits of the case. File be consigned to the record room.

Pronounced in open court.

April 01, 2019

Anil K.Rao
Stenographer Gr-I

(Arunvir Vashista)
UIN-PB0050
Addl. Sessions Judge, Ludhiana.