

**203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.21780 of 2016 (O&M)
Date of Decision : 22.10.2016**

Nisha Bhardwaj

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sandeep Arora, Advocate for the petitioner.

Mr. K.S.Pannu, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.84 dated 05.04.2016 registered under Sections 370/420/465/467/468/471/120-B IPC at Police Station Navi Baradari, Jalandhar.

On 11.07.2016 the following order was passed:-

“Learned Additional Advocate General seeks time to file reply.

Learned counsel for the petitioner states that he would have no objection but in these circumstances interim relief may be granted to the petitioner.

In the circumstances, let the petitioner appear before the Investigating Officer on 22.07.2016 or on any other date on which his appearance is required by the Investigating Officer. On his appearance the I.O. shall release him on interim bail to his satisfaction subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

Let reply be filed before the next date.

Adjourned to 23.08.2016.”

Thereafter, on 23.08.2016 the following order was passed :-

“Learned Addl. A.G. states that the petitioner has not joined the investigation.

Learned counsel for the petitioner states that the petitioner could not join the investigation due to unavoidable circumstances and prays for one more opportunity to permit her to join the investigation.

Allowed as prayed for.

In the circumstances, let the petitioner appear before the Investigating Officer on 29.08.2016 or on any other date on which her appearance is required by the Investigating Officer. On her appearance the I.O. shall release him on interim bail to his satisfaction subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 22.10.2016.”

Learned Deputy Advocate General, on instructions from ASI Charanjeet Singh states that the petitioner has been arrested in some other case but she is not required in this case for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 11.07.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

22.10.2016

pooja sharma-I

(AJAY TEWARI)
JUDGE

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