

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-34977 of 2015 (O&M)

Date of Decision: 11.02.2016

Seema & another

--Petitioners

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rohit Rana, Advocate for
Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Vivek Saini, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.262 dated 5.9.2015 under sections 147, 149, 186, 353, 332, 307 and 506 I.P.C, registered at Police Station, Hathin, District Palwal.

It may be noticed that the present petition qua petitioner no.2 Jai Singh already stands dismissed as withdrawn vide order dated 13.10.2015, passed by this Court.

Petitioner no.1 Seema was, however, granted interim protection subject to her joining investigation in the light of notice of motion order dated 13.10.2015 and which reads as follows:-

“Learned counsel for the petitioners submits that he wants to withdraw the present petition qua petitioner No.2, namely, Jai Singh.

The present petition qua petitioner No.2, namely, Jai Singh stands dismissed as withdrawn.

Learned counsel for the petitioners submits that only the name of petitioner No.1 is mentioned but no role has been attributed to her and many persons have been implicated

CRM No. M-34977 of 2015 (O&M) -2-

in this case. Learned counsel also submits that petitioner No.1, namely, Seema has been implicated being the wife of co-accused, namely, Sattan @ Satbir whereas nothing has been recovered from her and she is ready to join investigation.

Notice of motion for 04.12.2015.

Meanwhile, petitioner No.1, namely, Seema is directed to join investigation and in the event of her arrest, she shall be released on interim bail to the satisfaction of the arresting officer. She shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i) that the petitioner shall make herself available for interrogation before Arresting Officer as and when required;

(ii) that the 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 them from disclosing such facts to the court or to any police officer.

(iii) that the petitioner shall not leave India without the prior permission of the Court.”

Learned State counsel upon instructions from ASI Mukhtiar Singh would apprise the Court that the petitioner has since joined investigation. He further states that during the course of investigation petitioner has been found to be innocent.

Under such circumstances, the present petition is allowed. The order dated 13.10.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.02.2016
lucky