

Sr. No. 209

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-4171 of 2016 (O&M)
Date of Decision: 08.04.2016

Rajwati

...Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. J.S.Hooda, Advocate,
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of pre-arrest bail in case FIR No.544 dated 05.07.2015, under Sections 307/427/506/34 of the Indian Penal Code and Sections 25/25(54)/59 of Arms Act, registered at Police station Camp Palwal, District Palwal.

While issuing notice of motion, the following order was passed by this Court on 05.02.2016:

“Petitioner seeks concession of pre-arrest bail in case FIR No.544, dated 05.07.2015, under Sections 307/427/506/34 IPC and Sections 25/25(54)/59 of the Arms Act, registered at Police Station Camp Palwal, District Palwal.

Counsel would inter alia contend that it is a case of no injury. Allegations are with regard to co-accused, Pankaj and Neeraj i.e. sons of the present petitioner having resorted to firing. Further allegation is

with regard to damage having been caused to a three wheeler. It is contended that the present petitioner is a lady of advanced age and there is no direct and overt act attributed to her. Counsel has also referred to an order dated 21.01.2016 passed by this Court in terms of which co-accused, Neeraj i.e. son of the present petitioner has been granted the benefit of regular bail in CRM No.M-40654 of 2015.

Notice of motion, returnable for 08.04.2016.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and she shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Dharamvir would submit that the petitioner has since joined investigation and is not required for any custodial interrogation.

Accordingly, petition is allowed.

Order dated 05.02.2016, passed by this Court, is made absolute.

Disposed of.

08.04.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**