

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

CRM-M-24419-2016

Date of decision: 1.9.2017

Gurdev Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr.Prashant Vashisth, Advocate for the petitioner

Mr.AS Gill, Sr.DAG, Punjab  
assisted by ASI Hardeep Singh

\*\*\*\*

**JITENDRA CHAUHAN, J.**

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in First Information Report No.53 dated 23.6.2016, registered under Sections 406 and 498-A of the Indian Penal Code, at Police Station Sadar Raikot, Ludhiana.

On 21.7.2016, the coordinate Bench had passed the following order:-

“Subject to deposit of Rs.20,000/- as litigation expenses, notice to respondent No.2-complainant be issued for 24.08.2016.

Meanwhile, the petitioner is directed to join the investigation as and when called by the Investigating

Officer. In the event of her arrest, she shall be released on bail by the Investigating Officer on her furnishing bail bonds/sureties to his satisfaction, subject to the following conditions, as envisaged under Section 438(2) Cr.P.C:-

- (i) that the petitioner shall make herself available for interrogation by a police 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 previous permission of the Court.
- (iv) such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.”

It is contended that in pursuance of the order dated 21.7.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and she is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted to the petitioner by

this Court vide order dated 21.7.2016, is made absolute, subject to her furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

1.9.2017  
gsv

**(JITENDRA CHAUHAN)**  
**JUDGE**

|                                     |            |          |           |
|-------------------------------------|------------|----------|-----------|
| <b>Whether speaking / reasoned?</b> | <b>Yes</b> | <b>/</b> | <b>No</b> |
| <b>Whether reportable?</b>          | <b>Yes</b> | <b>/</b> | <b>No</b> |