

CRM-M-30683-2017

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

CRM-M-30683-2017 (O & M)

Date of Decision:07.09.2017

Sarita

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Sharmila Sharma, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

Mr. Sandeep Kotla, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Sarita has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.84 dated 14.06.2017, registered at Police Station Bapoli, District Panipat, under Sections 323, 341, 342, 324, 325, 307, 506 and 34 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

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I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

Learned counsel for the petitioner argued that the present petitioner has got an FIR registered under Sections 376 IPC etc. against the complainant of this case. He further argued that neither the petitioner is named in the FIR, nor any injury is attributed to her. The injuries dangerous to life etc. have been attributed to her husband.

Learned State counsel submitted that in the supplementary statement, slaps and fist blows have been attributed to the present petitioner.

In pursuance of the interim order dated 21.08.2017 passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. Nothing is to be recovered from her. She was not armed with any deadly weapon.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. The order dated 21.08.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

07.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No