

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

CRM-M No.5099 of 2017

Date of Decision: 16.02.2017

Pooja Rani

.....Petitioner

Versus

State of Punjab

... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

RAJ MOHAN SINGH, J.(ORAL)

Petitioner has approached this Court for grant of anticipatory bail in FIR No.23 dated 24.04.2016 registered under Sections 380/120-B IPC at Police Station Tibber, Tehsil and District Gurdaspur.

Vide order dated 01.11.2016, interim relief was granted to the petitioner by the Additional Sessions Judge, Gurdaspur. Petitioner was directed to join the investigation and cooperate with the Investigating Officer. Notice of the application was given to the State for 16.11.2016.

According to the learned counsel for the petitioner, petitioner could not avail the opportunity due to some miscommunication from her counsel. Petitioner could not explain her conduct in not appearing and joining the investigation before the Additional Sessions Judge on the date fixed i.e. 16.11.2016 and the prayer was declined on 16.11.2016

itself.

Learned counsel for the petitioner submitted that there was hardly any occasion for the petitioner not to have joined the investigation. She could have explained her position before the Additional Sessions Judge on the date fixed, but having not done so, the petitioner has ventured to file this petition.

At this stage, in view of facts and circumstances of the case, petitioner can be directed to approach the Court of Sessions by way of filing necessary application/explanation in the context of her non-appearance before the Investigating Officer during the period for which protection was granted to her. In the event of filing such application within a period of one week, Additional Sessions Judge, Gurdaspur would be obligated to have a fair look and reasonable approach to the claim of the petitioner by way of passing lawful order. Till such time, arrest of the petitioner shall remain stayed.

Disposed of.

16.02.2017
prince

(RAJ MOHAN SINGH)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No