

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

**CRM-M-2162-2018 (O&M)**

**Date of decision:13.03.2018**

Inderjit Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

...

**TEJINDER SINGH DHINDSA, J. (ORAL).**

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.87, dated 07.06..2017, under Sections 447/511/506/379/148/149, registered at Police Station Subhanpur, District Kapurthala.

While issuing notice of motion on 23.01.2018, the following order was passed by this Court:

*“The instant petition has been filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in case FIR No.87 dated 7.6.2017 under sections 447, 511, 506, 379, 148, 149 I.P.C, registered at Police Station, Subhanpur, District Kapurthala.*

*FIR has been registered on the statement of Ajit Singh, who asserted that there was a dispute going on with the Gram Panchayat of the village as regards laying of certain bricks upon the land under the ownership of the complainant. Civil proceedings are stated to have been initiated and an order dated 23.2.2014 was passed by the competent court in favour of the complainant and in pursuance thereto on 24.5.2017 possession of the land had been taken and the bricks had been removed.*

*Precise allegations against the present petitioner, who is a lady and ex-Sarpanch as also 19 other persons are that an attempt was made to take forcible possession of the land in question and in such attempt spades, buckets and bricks have been taken away.*

*Counsel would contend that co-accused has already been granted concession of anticipatory bail. That apart, the petitioner is a lady as also a senior citizen and against the backdrop of the allegations custodial interrogation would not be warranted.*

*Notice of motion, returnable for 13.3.2018.*

*In the meanwhile, petitioner is directed to join investigation.*

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

Learned State counsel upon instructions from ASI Surat Singh apprises the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

In view of such categorical stand taken on behalf of the State, prayer made in the instant petition is accepted.

Petition is allowed. Order dated 23.01.2018 passed by this Court is made absolute.

Disposed of.

**13.03.2018**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**

- |     |                            |        |
|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |