

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

**CRM-M-30331-2017
Date of decision: 22.02.2018**

Kanta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. S.S. Dinarpur, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 192 dated 12.05.2017 under Sections 328/34/ 498-A IPC, registered at Police Station Sadar Rohtak, District Rohtak.

This Court was pleased to pass the following order on 21.08.2017 :-

“It is inter alia argued that on earlier occasion too, an FIR No.169 dated 24.09.2012, under Sections 498-A, 34 of Indian Penal Code had been registered, alleging that she had been forcibly administered poisonous drug and in the said FIR all the accused were acquitted of the charges levelled against them by order dated 03.12.2013. It is also contended that as per the MLR, no injuries have been reflected and that gastric lavage could not be done due to uncooperative nature of the patient. It is submitted that no offence under Section

498-A of Indian Penal Code is made out from the reading of the complaint itself. It is further submitted that no recoveries are to be made and she is ready to join the investigation.

Notice of motion for 04.12.2017.

To be heard along with CRM No. M-20566 of 2017.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State confirms the factum of joining investigation by the petitioner.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 21.08.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

22.02.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.