

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36521-2017 (O&M)
Date of decision: 30.07.2018

Rajwinder Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Chander Kant Thakur, Advocate
for the petitioner.

Mr. J.P. Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.23 dated 19.01.2017 under Sections 420, 406, 34 IPC, registered at Police Station Zirakpur, District SAS Nagar (Mohali).

On 06.10.2017, following order was passed: -

“This is an application under Section 438 Cr. P.C. for grant of anticipatory bail to the petitioner in case FIR No.23, dated 19.01.2017, under Sections 420, 406 and 34 IPC registered at Police Station Zirakpur, District SAS Nagar, Mohali.

Learned counsel for the petitioner submits that the petitioner is ready to deposit an amount of Rs.50,000/- with the Investigating Officer.

Accordingly, the petitioner is directed to appear before the

Investigating Officer on 25.10.2017 or any other date given by the Investigating Officer. The petitioner will deposit a sum of Rs.50,000/- with the Investigating Officer and the same shall be disbursed to the aggrieved persons proportionately and against a receipt without prejudice to the right of petitioner.

List again on 22.11.2017.

In the meantime, arrest of the petitioner shall remain stayed subject to the conditions mentioned below, as envisaged in Section 438(2) Cr.P.C :-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He 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 him from disclosing such facts to the Court or to any police officer; and*
- 3. He shall not leave India without previous permission of the Court.”*

Thereafter, the petitioner had deposited an amount of Rs.50,000/- with the Investigating Officer and she was again directed to join the investigation, considering that she was in advanced stage of pregnancy. Again on 17.04.2018, on the request of Investigating Officer, the petitioner was directed to join the investigation.

Learned State counsel, on instructions from ASI Baljit Singh, submits that the petitioner has joined the investigation on 12.05.2018 and she is no more required for further investigation.

In view of the above, this petition is allowed and the order dated 06.10.2017 passed by this Court is hereby made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It is further directed that ASI Baljit Singh will deposit the amount of Rs.50,000/- with the Illaqa Magistrate, which shall be deposited in the Govt. Treasury subject to final outcome of the case.

[ARVIND SINGH SANGWAN]
JUDGE

30.07.2018

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No