

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

**CRM-M No. 49443 of 2018
Date of Decision:-14.12.2018**

Harjinder Kaur @ Bholi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Aakash Kumar Gupta, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.180 dated 24.10.2018, under Section 61 of the Excise Act and Section 420 of IPC, registered at Police Station Division No.3, Jalandhar.

On 06.11.2018, this Court had passed the following order:-

“Petitioner seeks concession of anticipatory bail in FIR No.180 dated 24.10.2018 under section 61 of Excise Act and 420 I.P.C, registered at Police Sation, Division No.3, Jalandhar.

Counsel contends that the FIR was registered on the basis of secret information. Even as per prosecution version petitioner was not present at the spot when the raid was conducted and as such, no recovery has been

effected from her. Counsel fairly brings to the notice of this Court that the petitioner is involved in one more FIR under the Excise Act but in such case petitioner has already been granted concession of bail.

Notice of motion, returnable for 14.12.2018.

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 counsel for the petitioner contends that in pursuance of the order dated 06.11.2018, the petitioner has joined the investigation.

Learned State counsel on instructions of HC Rakesh Kumar submits that the petitioner has joined the investigation and she is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 06.11.2018, is made absolute.

The petition stands allowed.

December 14, 2018
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No