

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

**CRM-M-14412-2019
Date of decision: 15.05.2019**

Sonia Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Lakhwinder Singh Mann, Advocate
for the petitioner.

Mr. H. S. Sitta, AAG, Punjab.

Mr. Ayush Gupta, Advocate
for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 317 dated 05.10.2018 under Sections 379-B, 34 of the Indian Penal Code and Section 25 of the Arms Act, 1959 registered at Police Station Shimlapuri, District Police Commissionerate Ludhiana. The petitioner apprehended her arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.03.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that complainant got the FIR lodged with the allegations that 3 persons came to his house pretending themselves to be the friends of his son Prince Kumar and on their asking he went in for fetching water for them. They followed him and committed the alleged theft as narrated in the

FIR. It is pointed out by learned counsel for the petitioner that the petitioner Sonia Rani, daughter-in-law of the complainant has been falsely implicated on account of a matrimonial dispute.

Notice of motion for 15.05.2019.

At this stage, Mr. Aayush Gupta, Advocate appears on behalf of the complainant and has filed his power of attorney in Court.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, she shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted herself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by HC Gurwinder Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from HC Gurwinder Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 29.03.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

15.05.2019

SHABHA

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No