

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

**CRM-M No.50950 of 2018 (O&M)
Date of Decision: 25.04.2019**

Seema Rani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioner.

ASI Darshan Singh for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.24 dated 02.03.2018 (**P-1**), under Sections 324, 323, 148, 149 of the Indian Penal Code (Sections 302, 325, 34, IPC were added and Sections 148, 149 deleted later on), registered at Police Station Mamdot, District Ferozepur.

This Court, on the previous date of hearing i.e. 06.03.2019, passed the following order:-

“ This Court, on 10.01.2019, passed the following order:-

“ Heard.

Reply has not been filed.

Learned State counsel seeks time to file reply.

Perusal of the file shows that in this case, one Mohan Singh died. Husband of the present petitioner namely Satnam Singh is one of the accused. Qua the present petitioner, it is alleged that she was carrying a Sota and gave sota blow on the back of the Baljinder Singh. She also gave sota blow on the right thumb of

Sukhwinder Singh. MLR shows that there is only complaint of pain in the lower back with no external mark of injury on the person of Baljinder Singh and injury on the right thumb of Sukhwinder Singh which is lacerated wound which probably cannot be caused with sota.

State is directed to verify the role of the petitioner as it is claimed that she has been falsely implicated due to involvement of her husband and file the specific affidavit as to how they co-relate injury attributed to the petitioner with the crime.

In the meanwhile, it is directed that the petitioner will not be arrested in this case.

List on 01.02.2019.”

Reply by way of affidavit dated 15.02.2019 of Sh. Lakhvir Singh, PPS, DSP, Sub Division Ferozepur Rural, District Ferozepur on behalf of the respondent/State has been filed. The same is taken on record. Copy supplied to the opposite side.

Perusal of the affidavit nowhere reveals that present petitioner caused any injury to Mohan Singh (deceased), rather it says that petitioner allegedly caused injuries to Baljinder Singh and Sukhwinder Singh and none of them is grievous, however, Injury No.2 stipulates regarding the X-ray opinion.

Paragraph 2 of the affidavit further reveals that there is a cross-version, entered vide DDR No.21 dated 02.03.2018, under Sections 324, 323, 148 and 149, IPC pertaining to the injuries suffered by Satnam Singh, Seema Rani (petitioner), Harbans Singh and Paramjit Singh.

Let copy of the aforesaid DDR be placed on record.

Adjourned to 25.04.2019 for further consideration.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail in the present case till the next date of hearing on her furnishing

adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

Today, ASI Darshan Singh, who is present in the Court, submits that petitioner has joined the investigation in terms of order dated 06.03.2019 and her custodial interrogation is no longer required.

In view of above, interim order dated 06.03.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The observations may not be considered as an expression of opinion on the merits of the case.

April 25, 2019

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes