

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

**CRM-M No. 26815 of 2019
Date of Decision:-12.09.2019**

Rajbala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Bhupinder Malik, 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.209 dated 28.5.2019, under Sections 324, 506, 34 IPC (later on offence under Section 307 IPC added), registered at Police Station Rai, District Sonapat. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 14.6.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“It has been submitted that a quarrel arose between the complainant party and husband of the petitioner, namely, Rajender @ Raju. She brought kulhari and handed over the same to Rajender @ Raju who inflicted injury on the person of Rakesh which was later on found to be dangerous in life.

Learned counsel for the petitioner submitted that it is a case of free fight. Petitioner was not present at the spot. She has been falsely implicated in this case. No injury has been attributed to her.

Notice of motion for 12.09.2019.

In the meanwhile, petitioner is directed to surrender before the Arresting/Investigating Officer and join the investigation. On doing so, she shall be released on interim bail, subject to her furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, she shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which she shall lose the benefit of interim bail allowed to her.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself 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 ASI Ravinder does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Ravinder 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 14.6.2019 is made absolute.

September 12, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No