

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

**CRM-M No. 26795 of 2019
Date of Decision:-10.09.2019**

Baljeet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Aman Dhir, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

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.48 dated 28.4.2019, under Sections 386, 506, 148, 149 IPC and Section 25/27 of Arms Act, 1959, (Section 67-A of I.T. Act added later on), registered at Police Station Gidderbaha, District Sri Muktsar Sahib. The petitioner apprehends her 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 petitioner-Baljeet Kaur has moved a representation dated 07.02.2019 against the complainant but that was not investigated, rather on the application of the complainant, FIR has been registered against the petitioner on 28.04.2019. Co-accused who is a part of the gang, is giving threats to the complainant. Co-accused has already been granted bail.

Notice of motion for 10.09.2019.

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.

However, the investigation be conducted in the presence of a lady police officer.”

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 ASI Jaskaran does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Jaskaran 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 10, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No