

**CRM-34069-2019 in/and
CRM-M-27674-2019**

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

**CRM-34069-2019 in/and
CRM-M-27674-2019**

Date of decision-06.11.2019

Jagjit Kaur

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashish Gupta, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Subhash Aggarwal, Advocate for respondent No.2.

MANOJ BAJAJ, J. (Oral)

CRM-34069-2019

This application has been filed under Section 482 Cr.P.C for impleading the complainant-respondent, namely, Balwant Singh as respondent No.2.

Application is allowed as prayed for.

Amended memo of parties is taken on record.

Main case

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.26 dated 24.02.2019 under Sections 379 and 506 read with Section 34 of Indian

Penal Code, 1860 registered at Police Station Nihal Singh Wala, District Moga. 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 03.07.2019 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 the alleged occurrence of harvesting crop belonging to the complainant took place on 27.04.2018. It is pointed out that even after the alleged occurrence, complainant went abroad in May, 2018 and returned in July, 2018. According to him, the allegations are founded on hearsay material and the FIR was lodged at a belated stage upon a complaint made on 24.09.2018.

Notice of motion for 06.11.2019.

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 ASI Darshan Singh does not dispute this fact that the petitioner has joined the investigation.

Learned counsel on instructions from ASI Darshan 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 03.07.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

06.11.2019

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No