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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-33376-2019

Date of Decision: 03.12.2019

Lakhvir Kaur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.101 dated 10.07.2019, under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Nakodar Sadar, District Jalandhar. 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 19.08.2019 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 place of recovery was abandoned haveli which does not belong to the petitioner. According to him, there is nothing to connect the petitioner with the alleged offence.*

*Notice of motion for 03.12.2019.*

*Meanwhile, the petitioner shall join the*

*investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of 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 Salinder Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Salinder 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 19.08.2019 is made absolute.

03.12.2019  
Jasmine Kaur

(MANOJ BAJAJ)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes  
No