

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No.M-37256 of 2019
Date of Decision: 17.09.2019

Sunita

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. D.S. Matya, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.233 dated 28.04.2019 under Section 3 of SC/ST Act and Sections 323, 354-B, 506, 34 IPC registered at Police Station, Sector 10, Gurugram, District Gurugram.

Vide order dated 05.09.2019, interim bail was granted to the petitioner in the same terms as granted in connected petition i.e. CRM-M-21577-2019. The relevant part of order dated 13.05.2019 passed in CRM-M-21577-2019 reads as under:-

“In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the

investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner states that pursuant to order dated 05.09.2019 of this Court, the petitioner has joined investigation.

Learned State counsel, on instructions from ACP Shakuntla, does not dispute the aforesaid fact and submits that custodial interrogation of the petitioner is not required at this stage. She further states that in the partial investigations so conducted, offence under Section 3 of the SC/ST Act has been deleted.

I have heard learned counsel for the parties.

Considering the fact that the petitioner has joined the investigation and her custodial interrogation is not required at this stage, the present petition is allowed and the interim order dated 05.09.2019 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

September 17, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No