

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

(212) **CRM-M-57346-2018**
Date of Decision: 16.05.2019

CHANCHAL BALA ...Petitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Sandeep Arora, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab
assisted by ASI-Sucha Singh.

MANOJ BAJAJ, J.

Petitioner-Chanchal Bala has filed the present petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in FIR No.40 dated 30.03.2017 registered under Sections 420, 406, 120-B of Indian Penal Code registered at Police Station Division No.4, District Police Commissionerate, 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 orders dated 09.01.2019 whereby while issuing notice of motion to the respondent-State the interim protection was extended to the petitioner. The said orders reads as under:-

“Learned counsel for the petitioner contends that the allegations are primarily against Anu @ Aman Chopra and one Rajni. It is submitted that the petitioner is not involved in the alleged deal between the complainant and the accused, named in the FIR.

Adjourned to 13.3.2019.

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.”

This Court again on 20.03.2019 passed the following order:-

“Learned State counsel does not dispute that the petitioner has joined the investigation, however, it is pointed out on instructions from ASI Sucha Singh that she is further required for investigation.

Let the petitioner to join the investigation as and when required by the Investigating Officer.

Adjourned to 23.4.2019”.

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-Sucha Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI-Sucha 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 09.01.2019, is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173(2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

16.05.2019

tarun

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No