

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13779 of 2020
Date of Decision : 21.08.2020

Meena

...Petitioner

Versus

State of Punjab

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gagan Pradeep S. Bal, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.15 dated 15.02.2020 under section 380, 448, 427 IPC registered at Police Station Division No.1, District Police Commissionerate Jalandhar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court on 03.06.2020. Order dated 03.06.2020 is as under:-

“The petition has been taken for hearing through video conference due to Covid-19 pandemic.

The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail in respect of FIR No.15 dated 15.02.2020, under Sections 380, 448 and 427 IPC, registered at Police Station Division No.1, Jalandhar.

Learned counsel for the petitioner

argues that there is a family dispute between the complainant and the petitioner, who are brother and sisters. Learned counsel for the petitioner further argues that the complainant has already locked his room where he was staying prior to shifting from the said place and now, the allegations of theft are being alleged against sisters, who are living in the said premises so as to pressurize them to arrive at a partition agreement, which is more beneficial to the complainant.

Learned counsel for the petitioner submits that the inquiry which was conducted by the police, has also found that the articles are still lying in the room, which was occupied by the complainant before the said room was vacated by him.

Notice of motion for 21.08.2020.

Mr. Ajay Pal Singh Gill, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of State of Punjab. Learned State counsel seeks some time to have instructions in this matter from the Investigating Officer/Agency.

I have heard learned counsel for the parties and have also gone through the case file.

Keeping in view the facts and circumstances of this case, especially when the dispute is between brother and the sisters and the present sister, who is 47 years old, the purpose of the investigation will be solved in case the petitioner is directed to join the investigation and

cooperate.

Keeping in view the above, the petitioner is directed to join the investigation forthwith. In the event of her arrest, she shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on her furnishing bail bonds/surety bonds to her satisfaction subject to the following conditions:-

(i) That she shall make himself available for interrogation by the police officer as and when required.

(ii) She shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing the said facts to the Court or to any police officer.

(iii) That she shall not leave India without prior permission of the Court.

(iv) That she shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Rakesh Kumar, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required, at this stage.

In view of the above, the order dated 03.06.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

August 21, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No