

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17217 of 2020

DECIDED ON: 7th DECEMBER, 2020

Baljeet Kaur

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vivek Goyal, Advocate for
Mr. Deepak Aggarwal, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference
due to COVID-19 situation.

This is a petition seeking anticipatory.

On 1.7.2020, the following order was passed:

"Petitioner-Baljeet Kaur stated to be 52 years of age has filed the present petition inter alia praying for pre-arrest bail in case FIR No.44 dated 24.06.2020 under Section 61 of the Punjab Excise Act, 1914 registered at PS Kotffatta, District Bathinda.

Learned counsel submits that no recovery was actually made from the conscious possession of the petitioner. He further submits that there is no other case registered against the petitioner involving her in same/similar allegations.

Notice of motion.

On the asking, Mr. Amit Mehta, Sr.DAG, Punjab accepts notice through video conferencing.

Learned counsel for the petitioner submits that because of COVID situation also, retaining of the petitioner behind the bars would be dangerous to her life.

Without commenting upon the merits of the case and without recording any opinion, in the peculiar facts and circumstances of the present case, this Court deems it appropriate to direct the petitioner to join the investigation and appear before the Investigating Officer.

List on 09.09.2020.

Meanwhile, in the event of arrest, the petitioner be released on bail subject to her furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) CrPC."

Learned counsel for the petitioner submits that the petitioner has joined investigation.

Learned State counsel on instructions from ASI Gurdev Singh submits that petitioner has joined the investigation and no custodial interrogation is required.

In view of the above, the interim bail granted to the petitioner on 1.7.2020 is made absolute.

The petition stands disposed of.

(AVNEESH JHINGAN)
JUDGE

7th DECEMBER, 2020

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Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*