

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

Criminal Misc.-M No.24886 of 2020
Date of Decision: November 11, 2020

Jasvir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajbir Singh, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.109 dated 17.07.2020, under Sections 384, 506 IPC, 1860 and Section 66 Punjab Police Act, 2007, registered at Police Station, Dayalpura (Dialpura), District Bathinda. The petitioner apprehended her arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 28.08.2020, 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 pleads that FIR in question is a counter blast to her allegations of being a rape victim and also having given birth to a female child as a result thereof. Given the nature of allegations/ counter allegations, a detailed report is required to be filed by the prosecution.

Notice of motion for 11.11.2020.

Mr. Luvinder Sofat, AAG, Punjab, who has joined proceedings on service of advance copy of the petition, appears and accepts notice on behalf of State of Punjab and seeks time to file a detailed status report.

In the meanwhile, petitioner is directed to join the investigation within one week from today. In the event she is sought to be arrested in course of further investigation, she shall be admitted to interim bail till the next date of hearing, on her furnishing bail bonds to the satisfaction of Arresting Officer/Investigating Officer, subject to the conditions envisaged 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 does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from SI Jaspal 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 28.08.2020 is made absolute.

November 11, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No