

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.25130 of 2020
Date of Decision: November 11, 2020

Sharda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Aditya Pratap Singh, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Ms. Neeru Bansal, Advocate,
for the complainant.

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.162 dated 27.07.2020, under Sections 457, 380, 506, 427 and 120-B IPC, 1860, registered at Police Station, Division No.2, District Pathankot. 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 31.08.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Counsel for the petitioner inter alia contends that the FIR has been lodged by an Ex-serviceman who had installed CCTV camera which was affected the privacy of the neighbours and

the said CCTV camera was stolen and there is no proof that the petitioner was involved in theft. The allegations are only that the complainant had investigated the matter and suspected the petitioner. It is further submitted that the petitioner is willing to join investigation and there is no other case similar in nature registered against him.

Notice of motion.

Mr.Rana Harjasdeep Singh and Ms.Neeru Bansal accept notice on behalf of the State and complainant, respectively.

Ms.Bansal submits that the antecedents of the petitioner are not clean since an FIR was registered under Sections 3,4 & 5 of Immoral Trafficking of Prevention Act and Section 67 of the Information & Technology Act.

List on 28.09.2020.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail subject to the satisfaction of the investigation officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in 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 ASI Harpreet 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 31.08.2020 is made absolute.

November 11, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No