

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-38313-2020 (O&M)
Date of Decision:-21.12.2020

Chhindo Rani ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Paras Jhamb, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Harbans Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0127 dated 25.8.2020 at Police Station Sadar, Jalalabad under Sections 457, 380 and 34 of Indian Penal Code.
2. At the time of issuance of notice of motion the following order was passed:

“ The present petition under Section 438 Cr.P.C. has been filed by the petitioner seeking anticipatory bail in case FIR No. 0127 dated

25.08.2020, registered under Sections 457, 380, 34 IPC at Police Station Sadar, Jalalabad.

The allegations against the present petitioner are that while working as a maid with the complainant Jangir Singh, she along with Sonu S/o Jangir Singh, Amarjit Singh S/o Jaswant Singh @ Babbu, Surjit Singh @ Nikku S/o Ramesh Singh, Paramjeet Singh @ Premi S/o Bhajan Singh had committed the theft of certain gold articles and cash.

It is contended that the occurrence allegedly took place on 13.06.2020 whereas the FIR was lodged on 25.08.2020 and there is a delay of more than two months. It is nextly contended that vide a resolution (Annexure P-2) the Panchayat of the village Fattu Wala has found the present petitioner been not involved in the alleged theft.

Notice of motion.

Mr. Hittan Nehra, Additional Advocate General, Punjab accepts notice on behalf of the respondent-State.

Let the State file reply/status report by the next date of hearing.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

- (i) that the petitioner shall make himself available for interrogation by a police officer as and when required;*
- (ii) that the petitioner 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 him from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave India without the previous permission of the Court.*

Adjourned to 21.12.2020.”

3. The learned State counsel, upon instructions from ASI Harbans Singh, has informed that pursuant to interim directions issued by this Court, the

petitioner has since joined investigation and that her custodial interrogation is not required. It has further been informed that the petitioner is not involved in any other case.

4. Having regard to the aforestated position wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 19.11.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

21.12.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No