

215

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-44284-2019

Date of decision-26.02.2020

Ravinder Kaur and another

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sanjeev Sharma, Advocate for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Amit Arora, Advocate for the complainant.

MANOJ BAJAJ, J.

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.131 dated 13.08.2019 under Section 379 of Indian Penal Code, 1860 registered at Police Station City Patti, District Tarn Taran. The petitioners apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners have invited the attention of the Court to the order dated 18.10.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that there is matrimonial dispute between the petitioner No.1 and complainant (husband) has lodged the FIR on the allegations of theft of jewellery. According to him, in the

given facts, custodial interrogation of the petitioners may not be required.

Notice of motion for 26.02.2020.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

At this stage, Mr. Amit Arora, Advocate appears on behalf of complainant and files power of attorney.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Roshan Lal does not dispute this fact that the petitioners have joined the investigation and they are 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 18.10.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

26.02.2020

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No