

**214-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-49208-2019
Date of decision-10.02.2020**

Kulwinder Kaur **...Petitioner**
State of Punjab **...Respondent**
Vs.

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.D.Sharma, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Bikramjit Aroura, Advocate for the complainant.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in cross case No.23 dated 27.08.2019 under Section 3 (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 in FIR No.136 dated 08.08.2019 under Sections 427, 506, 452 and 148 read with Section 149 of Indian Penal Code, 1860 registered at Police Station Ghardinda, District Amritsar Rural. 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 20.11.2019 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 petitioner has placed reliance

upon the order dated 20.09.2019 (Annexure P-5) whereby concession of interim bail has already been extended to co-accused.

Notice of motion for 10.02.2020.

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

To be heard along with CRM-M-40430-2019.”

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 counsel appearing on behalf of the complainant opposed the prayer.

Learned State counsel who is assisted by SI Sukhdev Singh does not dispute this fact that the petitioner has joined the investigation and she 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 20.11.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

10.02.2020

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No