

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

(201)

**CRM-M-54292-2019
Date of decision: 13.03.2020**

Narinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: *HON'BLE MR. JUSTICE MANOJ BAJAJ*

Present: Mr. Vivek Gupta, Advocate
for the petitioner.

Ms. Monika Jalota, 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. 353 dated 30.11.2017 under Sections 420 and 120-B IPC, registered at Police Station City Ferozepur, District Ferozepur. 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 19.12.2019, 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 submits that the petitioner was initially placed in column no.2 of the report submitted under Section 173 (2) of the Cr.P.C. and in fact she had been earlier joining investigation, and, now only after her husband and co-accused, Amrik Singh, has been admitted to bail (in terms of Section 439 of the Cr.P.C. after his arrest), as has been the other co-accused, that the petitioner has now been “targeted”.

Without making any comment at this stage on the correctness of the aforesaid contention, but since it has been alleged that the petitioner was actually placed

in column no.2 of the aforesaid report, let notice of motion, returnable on 27.01.2020.

In the meanwhile, upon the petitioner joining investigation, in case she is sought to be arrested, she would be released on bail, on her furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate. She shall, further, abide by all the conditions stipulated in Section 438 (2) Cr.P.C.

If the arresting officer does not join the petitioner in investigation, she would appear before the learned Ilaqa Magistrate immediately, who would then summon the arresting officer and direct him to join her in investigation.”

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 the fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Kuldeep 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 19.12.2019 is made absolute.

Petition stands disposed off.

(MANOJ BAJAJ)
JUDGE

13.03.2020
Pardeep

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No