

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

CRM-M-148 of 2021

DECIDED ON: 12th MARCH, 2021

Jaspal Kaur

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. L.S. Sidhu, Advocate for petitioner.

Mr. Ramandeep Sandhu, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition is filed for grant of anticipatory bail in case of FIR No.131 dated 22.8.2020 under Sections 420, 120-B IPC, 1860, registered at Police Station Sadar Budhlada, District Mansa.

This Court vide order dated 11th January, 2021 granted interim bail subject to joining investigation. The order is reproduced below:

" The case has been taken up for hearing through video conferencing.

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.131 dated 22.08.2020 registered under Sections 120-B and 420 of the Indian Penal Code, 1860 (for short, "the IPC") at Police Station Sadar Budhlada, District Mansa.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. Coaccused Kamaljeet Kaur @ Komal got registered FIR No.140 dated 02.08.2020 under Sections 376(D) and 506 of the IPC and Sections 3 and 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against Inderjit Singh, Sukhdev Singh and Charanjit Singh alleging her rape by them. Inderjit Singh, Sukhdev Singh and Charanjit Singh influenced the police which under influence prepared cancellation report. Kamaljeet Kaur @ Komal filed CRM-M-22873-2020 regarding fair and impartial investigation. In order to neutralize the support for coaccused Kamaljeet Kaur @ Komal, the police registered FIR No.150 dated 09.08.2020 under Sections 120-B, 384 and 420 of the IPC at Police Station Boha, District Mansa against the petitioner Subsequently, the

police procured a false complaint from Sanjay Kaushik and registered another FIR No.144 dated 21.08.2020 under Sections 120-B and 420 of the IPC at Police Station Jhunir, District Mansa. In the FIR registered on complaint by Sanjay Kaushik, an interim anticipatory bail has been granted to the petitioner. On the same allegations, the present FIR has been registered, after procuring false complaint from Balwinder Singh. The petitioner is ready to join the investigation.

Learned State Counsel seeks some more time to file reply.

Adjourned to 12.03.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of her arrest, the petitioner shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by her to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which she shall not be entitled to the protection of interim anticipatory bail allowed to her"

Learned State counsel on instructions from ASI Jasbir Singh submits that the petitioner has joined investigation and his custodial interrogation is not required.

As no custodial interrogation is needed, the interim bail granted on 11th January, 2021 is made absolute.

Disposed of accordingly.

(AVNEESH JHINGAN)
JUDGE

12th MARCH, 2021

reema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>