

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

(Sr. No. 209)

**CRM-M No.754 of 2021
Date of decision : 27.10.2021**

Kulwinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. R. S. Chouhan, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.207 dated 31.07.2020 registered under Section 420 IPC and Section 61 of the Punjab Excise Act, 1914 at Police Station Beas, district Amritsar Rural.

On 08.01.2021, this Court had passed the following order : -

Case taken up through video conferencing.

Learned counsel for the petitioner inter alia contends that in the present case the petitioner is sought to be arrested only on the strength of some secret information received by the police with regard to manufacture and sale of illicit liquor by the petitioner; there is no evidence whatsoever beyond the aforesaid secret information; the petitioner is sought to be arrested only for the reason that she is facing trial in two other cases of similar nature; the recovery in the case has been effected from the house of one Rani who has been granted

anticipatory bail by the Trial Court and the petitioner is ready and willing to join the investigation as and when called by the investigating agency.

Notice of motion.

Mr. Amit Mehta, Sr. DAG, Punjab accepts notice on behalf of the respondent-State.

For arguments, adjourned to 21.1.2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C., in the event of her arrest in FIR No.207 dated 31.07.2020 registered under Section 420 IPC and Section 61 of the Punjab Excise Act, 1914, at Police Station Beas, District Amritsar Rural, she shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.

Before the adjourned date the Commissioner of Police, Amritsar, shall file his own affidavit giving therein the reasons of nominating the petitioner as an accused in this case.

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; cooperated with the investigating agency and that her custodial interrogation is not required by the State.

In view of the above, the interim order of this Court dated 08.01.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

27.10.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No