

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.2891 of 2021
Date of Decision: February 10, 2021

Kirandeep Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Varinder Basa, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, 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.192 dated 25.09.2020, under Sections 365, 376-D, 120-B and 506 IPC, 1860, registered at Police Station, Chheharta, District Amritsar. 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 22.01.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“As the Webex link provided for online hearing is down, therefore, the matter has been taken up through Whatsapp video call.

Learned counsel contends that the allegations in the FIR are mainly directed against accused Akashdeep (nephew of the petitioner). He has further placed reliance upon the order dated 11.11.2020 (Annexure P-2), whereby interim pre-arrest bail has been extended to co-accused-Randhir Singh.

Notice of motion for 10.02.2021.

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-37015-2020. ”

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 this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Ravinder 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 22.01.2021 is made absolute.

February 10, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No