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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7418-2021
Date of decision-10.09.2021

RAJWINDER KAUR

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Mr. Ramandeep Singh Sandhu, Sr. 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.92 dated 24.05.2020, under Section 61 Punjab Excise Act, 1914, registered at Police Station Ghuman, District Gurdaspur, Punjab. 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 17.02.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Learned counsel for the petitioner submits that the allegation against the petitioner is that recovery of 40 bottles of illicit liquor was effected from her

house. He further submits that in the presence of police party, it is impossible that a woman can run away from the spot. There is no other case against the petitioner.

Notice of motion for 24.05.2021.

Meanwhile, in the event of arrest of the petitioner, she shall be released on ad interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.PC.”

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, who is assisted by ASI Dilbagh 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. He further states that final report also stands filed.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 17.02.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

10.09.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No