

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-6664-2020 (O&M)
Date of Decision:-8.7.2021

Jaspal Kaur ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mandeep Kumar Dhot, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Om Parkash.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.188 dated 25.11.2018 at Police Station Dirba, District Sangrur under Sections 382/323/341/148/149 of Indian Penal Code and Sections 25 and 27 of Arms Act, wherein offence under Section 379-B IPC was added later on.
2. At the time of issuance of notice of motion on 14.2.2020, the following order was passed :

“Learned counsel for the petitioner submits that the petitioner is a lady and even as per FIR it is the co-accused who was armed with a pistol and that it is highly unlikely that a lady would have actively participated in causing injuries.

Notice of motion for 20.4.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Om Parkash, has informed that pursuant to interim directions issued by this Court the petitioner has since joined investigation and is not required for any custodial interrogation and is not even stated to be involved in any other case.
4. In view of the aforestated position and while also bearing in mind that the petitioner is a lady and has already joined investigation, custodial interrogation of the petitioner is not warranted. The present petition, as such, is accepted and the interim directions issued by this Court vide order dated 14.2.2020 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

8.7.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No