

205(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7391-2020

Date of decision-07.07.2021

KIRAN KAUR ALIAS KIRAN

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Sekhon, 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.220 dated 09.11.2019 under Sections 21, 22, 25 & 29 of NDPS Act 1985, registered at Police Station Dhanaula, District Barnala. The petitioner apprehended her arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has argued that the alleged contraband was recovered from co-accused of the petitioner, who were arrested on the spot and the petitioner was subsequently indicted as an accused, on the basis of disclosure statements. He has further drawn the attention of the Court to the order dated 19.02.2020. On 19.02.2020 following order was passed:-

Notice of motion for 13.05.2020.

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 Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.”

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 SI Jaskaran 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.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 19.02.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

07.07.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No