

201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.23797 of 2021
Date of Decision : 05.08.2021

Meena ...Petitioner

Versus

State of HaryanaRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Ketan Antil, Advocate for the petitioner.
Mr. Tapan Kumar, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.0098 dated 19.03.2021, registered under Sections 148, 149, 323, 307, 506 IPC at Police Station Matlauda, District Panipat, Haryana.
3. On 22.06.2021, the following order was passed:-

“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 438 Cr.P.C. praying for grant of anticipatory bail to the petitioner in case FIR No.0098, dated 19.03.2021, under Sections 148, 149, 323, 307 and 506 IPC, registered at Police Station Matlauda, District Panipat.

It has been contended by learned counsel for the petitioner that the present case is of version and cross-version. To buttress his argument he has placed on record the medical of some of the persons where injuries allegedly caused by the other side have been

substantiated. He further contends that there is no role attributed to the petitioner and it is only due to the rivalry inter se the parties, because of a plot in question for which a civil dispute is also pending, that he has been named falsely in this case.

Issue notice of motion.

On the asking of the Court, Ms. Safia Gupta, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State.

Adjourned to 05.08.2021.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. She shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- (i) That the petitioner shall make herself available for interrogation by a police officer as and when required to do so;*
- (ii) That the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) That the petitioner shall not leave India without prior permission of the Court.”*

4. Today, learned counsel for the petitioner contends while learned State Counsel on instructions from *SI Rajinder Singh*, confirms that pursuant to the order of this Court dated 22.06.2021, the petitioner joined investigation, cooperated in the same, was released on ad-interim pre-arrest bail and her custodial interrogation is not required.

5. In view of the statement of learned State Counsel, order dated 22.06.2021, passed by this Court, is made absolute. The petitioner shall continue to abide by the terms and conditions enumerated in

Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be

deemed to be an expression of opinion on the merits of the case.

6. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

05.08.2021
'Rajneesh'

Whether speaking/ reasoned : *Yes/No*
Whether reportable : *Yes/No*