

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204-1)

CRM-M-28105-2021

Date of decision:- 05.10.2021

Gurmit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

While granting interim protection to the petitioner, this Court passed the following order on 22.07.2021:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.83 dated 02.04.2021, registered for offences under Sections 307, 186, 353, 224, 225, 427, 148 and 149 of the Indian Penal Code, 1860, at Police Station Sultanpur Lodhi, District Kapurthala (Annexure P-1).

Counsel for the petitioner contends that the sole allegation against the petitioner, who is a 24 years old housewife, is that she was a member of an unlawful assembly, and resisted the arrest of Balwinder Singh @ Ladda in FIR No. 275 dated 22.09.2018, registered for offences under Sections 15 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sultanpur Lodhi. He submits that Balwinder Singh @ Ladda subsequently surrendered before the police and has been released on bail, vide order dated 02.07.2021 (Annexure P-2).

Notice of motion.

On asking of the Court, Mr. Sandeep Singh Deol, DAG, Punjab accepts notice on behalf of respondent-State. Upon instructions from ASI –

Gurdeep Singh, he submits that the main accused is Baljinder Singh @ Motta, who was armed with a Dang and he tried to hit a police official on his head, but no one was injured.

List on 05.10.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, she shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. She shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned State counsel, upon instructions, from ASI, Gurdeep Singh, submits that the petitioner has joined the investigation and she is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 22.07.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

05.10.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No