

212-III

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-35010-2021

Date of Decision: 14.09.2021

KANTA DEVI

..... Petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Lakhwinder S. Lakhanpal, 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.259 dated 25.11.2020, under Sections 420, 465, 467, 468, 471 and 120-B IPC registered at Police Station City Kotkapura, District Faridkot. 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 26.08.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner relies upon the order dated 10.05.2021 (Annexure P-2) passed by this Court in CRM-M-18789-2021, whereby concession of pre-arrest bail has been granted to the co-accused.

Notice of motion for 14.09.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when

called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-18789-2021.”

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 Gurbinder 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 the above, the petition is allowed and the interim bail granted by this Court vide order dated 26.08.2021 is made absolute.

14.09.2021

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(MANOJ BAJAJ)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No