

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.31221 of 2020

Date of Decision: January 11, 2021

Pardeep Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amritpal Singh Gill, Advocate,
for the petitioner.

Mr. Sukhdeep S. Parmar, DAG, Haryana.

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.309 dated 10.09.2020, under Sections 3(1), 4, 5, 5(1)(a), 6(a), 23 The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 and Sections 420 and 120-B IPC, 1860, registered at Police Station, Ambala Sadar, District Ambala. 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 06.10.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that as per the FIR, a secret information was received against a lady, who was engaged in determination of sex illegally. It is pointed out that admittedly, the team constituted to apprehend the persons involved in the crime lost contact with decoy patient and the main accused was

arrested later on. He has further submitted that the petitioner, who is a Constable in Punjab Police has been made an accused on the basis of statement made by decoy customer. It is further contended that the petitioner was in her office at the time of the alleged occurrence.

Notice of motion for 11.01.2021.

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.”

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 does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Dharampal, further states that the petitioner 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 06.10.2020 is made absolute.

January 11, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No