

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

215

CRM-M No.36313 of 2021
Date of Decision: 15.11.2021

Lajo

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parminder Singh Sekhon, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, 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.117 dated 21.07.2021, under Sections 21 and 29 of ND&PS Act, 1985, registered at Police Station City-I, Sangrur, District Sangrur. The petitioner apprehended her arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 03.09.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner.

The said order reads as under:-

*“The case has been taken up for hearing through
video-conferencing.*

Learned counsel for the petitioner contends that

FIR was registered on the basis of secret information. Husband of the petitioner was arrested with 05 grams of Heroin. It is nowhere pleaded in the FIR and other documents that the petitioner was implicated on the basis of disclosure statement of her husband, but learned State counsel submits that the said fact has come in the zimni prepared by the Investigating Officer.

Learned State counsel, however, opposed the bail on the premise that the petitioner is involved in number of cases.

Notice of motion for 15.11.2021.

Till the next date of hearing, as time one arrangement, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 08.09.2021 at 11:00 A.M. and in the event of her arrest, she shall be enlarged on interim bail, subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.”

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 Jasveer Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner 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 03.09.2021 is made absolute.

15.11.2021
manju

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No