

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.225

CRM-M-38408-2021

Date of decision: 20.12.2021

Kashmir Kaur

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. C.S. Rana, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

Mr. R.S. Dadwal, Advocate
for the complainant.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.86 dated 06.07.2021 registered under Sections 323, 324, 427, 148, 149 IPC (Section 326 IPC added later on) at Police Station Sidhwan Bet., District Ludhiana.

On September 16, 2021, this Court had passed the following order:-

“Learned counsel for the petitioner has submitted that in present case the petitioner who is a lady of the age of 41 years, has been falsely implicated in the present case. He submitted that it was a case of cross fight and the son of the petitioner had rather sustained injuries and MLR of the same has been attached as Annexure P-1. He submitted that the complainant party was in fact the aggressor party and so far as the present petitioner is concerned, although she has been named in the FIR and role attributed as per the FIR was inflicting of Danda blow on the neck but as per the injuries pertaining to Section 326 IPC, the same was not attributable to the petitioner.

Notice of motion.

Mr. Balbir Singh Sewak, learned

Additional Advocate General, Punjab accepts notice on behalf of State of Punjab and prays for some time to seek instructions.

Adjourned to 06.12.2021.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of her arrest, she shall be released on bail by the Arresting/Investigating Officer on her furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C. ”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; co-operated with the investigating agency and that her custodial interrogation is not required by the State.

In view of the above, the interim order of this Court dated 16.09.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

December 20, 2021

Jyoti 1

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No