

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.37077 of 2020

Date of Decision: February 11, 2021

Sukhwinder Kaur @ Jaswinder Kaur & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kuldip Singh, Advocate,
for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.228 dated 04.10.2020, under Sections 324, 323, 427, 452, 340, 148, 149 IPC, 1860 and Section 326 IPC (added later on), registered at Police Station, Mehatpur, District Jalandhar Rural. The petitioners apprehended their arrest at the hands of police in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 19.11.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that the allegation in the FIR against the petitioner No.1 are regarding raising exhortation whereas the petitioner No.2 allegedly caused injury with the sharp edged weapon. He contends that the injury suffered by the victim was caused by blunt weapon and the offence punishable under Section 326 IPC was added

subsequently. He further submits that on the statement of the Karnail Singh (husband of petitioner no. 1.) a cross case has also been registered.

Notice of motion for 11.02.2021.

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

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the police and joined the investigation. According to him, the petitioners 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 petitioners have joined the investigation. Learned counsel, on instructions from SI Sarabjit Singh, further states that the petitioners are 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 19.11.2020 is made absolute.

February 11, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No