

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(204-A)

CRM No. M-43499 of 2021

Date of Decision : 06.12.2021

Jaspreet Kaur alias Jass

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mandeep Kumar Dhot, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 109 dated 02.07.2021, registered under Sections 457 & 380 IPC (Section 411 IPC added later on), at Police Station City-I, Sangrur, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 14.10.2021. Order dated 14.10.2021 is as under:-

“Submits, inter alia, that the petitioner's name has been mentioned in the FIR only on the account of suspicion, whereas she is actually innocent and has been motivatively framed.

Notice of motion.

On asking of the Court, Mr. B. S. Sewak, Addl. A.G, Punjab accepts notice on behalf of the respondent-State.

To come up on 06.12.2021 alongwith CRM-M-39721-2021.

Interim relief is granted in the same terms, as in the case of co-accused Satgur Singh @ Discovery, who is the petitioner in the aforesaid CRM-M-39721-2021.

The co-accused Satgur Singh @ Discovery was granted interim bail by this Court vide order dated 23.09.2011, which reads as under :-

“Present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.109 dated 02.07.2021, registered under Sections 457 & 380 IPC (Section 411 IPC added later on), at Police Station City-I, Sangrur, District Sangrur.

Learned counsel for the petitioner argues that the allegations as alleged in the FIR shows that the same are motivated and far away from the truth. Learned counsel for the petitioner further argues that the petitioner has been involved in the present case without any valid justification. Learned counsel for the petitioner submits that the petitioner is ready to join the investigation and cooperate, therefore, he may kindly be granted the benefit of anticipatory bail.

Notice of motion for 06.12.2021.

Mr. Sandeep Singh, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that the items lying in the house of the complainant have been stolen by the accused, therefore, the custodial interrogation of the petitioner is necessary.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and circumstances noticed herein before, the purpose of investigation will be achieved in case the petitioner is directed to join the investigation and cooperate.

Hence, the petitioner is directed to join the investigation forthwith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail

bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

- (i) That he shall make himself available for interrogation by the police officer as and when required.*
- (ii) That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.*
- (iii) That he shall not leave India without prior permission of the Court.*
- (iv) That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C. ”*

Learned State counsel on instructions from ASI Ranjit Singh states that in terms of the order of co-ordinate bench of this Court reproduced before, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

In view of the above, the order dated 14.10.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

December 06, 2021

kanchan

(HARSIMRAN SINGH SETHI)

JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No