

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-47683 of 2019

Date of Decision:24.8.2021

Balwinder Kaur

---Petitioner

versus

State of Punjab

---Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Monty Goyal, Advocate
for the petitioner
Mr. Saurav Khurana, DAG, Punjab
Mr. Kanwar Pahul Singh, Advocate
for the complainant

HARSIMRAN SINGH SETHI, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 91 dated 1.10.2019 registered under Sections 307, 324, 326,506,148,149 IPC at Police Station Ramdas District Amritsar.

A Co-ordinate Bench of this Court had granted interim bail to the petitioner and directed her to join investigation and cooperate throughout.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 8.11.2019. Order dated 8.11.2019 is as under:-

“It is contended by counsel for the petitioner(s) that it is a case of version and cross-version. There has been a delay of two days in creating case by the complainant. This time has been

utilised by the complainant to fabricate the story including the name of the petitioners. However, even as per the complaint, the petitioners are shown only empty handed and no injury to any person is attributed to the petitioners. Still further, it is submitted that the dispute between the parties is regarding the piece of land, which is owned by the side of the petitioners as per the revenue record, however, upon which the complainant is trying to encroach.

Notice of motion for 30.03.2020.

Meanwhile, in the event of arrest, the petitioner(s) be released on interim bail subject to his/her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner(s) shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

A photocopy of this order be placed on the files of connected cases.”

Learned State counsel, who joined the proceedings through video conference, on instructions from ASI Jasbir Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined investigation and is no longer required at this stage and as per his instructions, the parties have compromised the matter..

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case she is required for the same in future as well.

In view of the above, the order dated 8.11.2019 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 cooperating, he will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

24.8.2021

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No