

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CRM No. M-52655 of 2019

Date of Decision : 29.10.2021

Jasvir Kaur @ Rajwinder Kaur

....Petitioner

Versus

State of Punjab

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Gurbir Singh Sidhu, 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. 480 dated 22.11.2019 registered under Sections 386, 384, 419, 342, 506, 323 and 148 of the Indian Penal Code, 1860 at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order dated 10.12.2019 passed by a Co-ordinate Bench of this Court. Order dated 10.12.2019 is as under:-

“Prayer in this petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.480 dated 22.11.2019 registered under Sections 386, 384, 419, 342, 506, 323 and 148 of the Indian Penal Code, 1860 at Police Station City Barnala, District Barnala.

Learned Counsel for the petitioner has submitted that even though the petitioner is named in the FIR and the petitioner, along with her co-accused, is alleged to have

extorted money from complainant-Sandeep Bawa but neither the mobile phone number from which the call was allegedly made to the Sandeep Bawa nor the bank account in which the amount was deposited belongs to the petitioner. The petitioner has been falsely implicated. The petitioner is ready to join the investigation. Custodial interrogation of the petitioner is not necessary. The petitioner is not involved in any other case. Therefore, the petitioner may be ordered to be released on interim bail.

Notice of motion.

On the asking of the Court, Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the learned State Counsel, who seeks time to complete his instructions.

Adjourned to 07.02.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of her arrest, the petitioner be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by her to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which she shall forfeit the benefit of interim bail allowed to her.”

Learned State counsel, who has also joined the proceedings through video conference, states that in terms of the order of a 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 10.12.2019 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 co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

October 29, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No