

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-1489 of 2022
Date of decision:24.03.2022

Pooja

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Shubham Aggarwal, Advocate
for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

While granting interim protection to the petitioner, this Court
passed the following order on 13.01.2022:-

“Heard through video conferencing.

*Instant petition has been filed under Section 438 Cr.P.C
seeking grant of anticipatory bail in case FIR No.186 dated
09.11.2021 registered under Sections 34, 365, 120-B, 420, 467,
468, 471 of Indian Penal Code, 1860 and Sections 4 and 17 of
Protection of Children from Sexual Offences (POCSO) Act,
2012, at Police Station Sector-9, Ambala City (Annexure P-1).*

Counsel for the petitioner submits that the petitioner is a

40 years old widow residing at Delhi and the allegation against her is that she was in touch on Whatsapp with the main accused, Sahil, who is alleged to have kidnapped the minor victim. Counsel submits that sole role attributed to the petitioner is that the main accused wanted to come with the victim to her residence at Delhi but this has never happened. Counsel submits that the petitioner is ready to join the investigation and cooperate with the investigating agency.

Notice of motion.

On asking of the Court, Ms. Mahima Yashpal, Deputy Advocate General, Haryana accepts notice on behalf of the respondent-State. Upon instructions from L/SI Devinder Kaur, State counsel has referred to the statement of the prosecutrix recorded under Section 164 Cr.P.C, wherein, the victim has stated that she had gone with the main accused on her own will.

List on 24.03.2022.

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

State counsel, upon instructions from I. Suresh submits that the petitioner has joined investigation and is no longer required for custodial interrogation. She has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 13.01.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

March 24, 2022

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>