

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-3063-2022
Decided on : 10.03.2022

Pushpinder Kaur

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C.
for grant of pre-arrest bail to the petitioner in case FIR No. 104 dated
21.12.2021 under Section 380 of the Indian Penal Code, 1860 registered at
Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur
(Annexure P-1).

On 28.01.2022, a coordinate Bench of this Court was pleased
to pass the following order:-

*“Learned counsel for the petitioner
would contend that the complainant in the present case
is the husband of the petitioner. The incident alleged in
the petition relates to 04.05.2021 and the FIR has been
lodged on 21.12.2021 i.e. after a delay of over 07*

months. Learned counsel for the petitioner would further contend that the present FIR is a counter-blast to the petition filed by the wife under Section 125 CrPC and the complaint filed by the petitioner on 15.05.2021 on the ground of demand of dowry and harassment.

Notice of motion.

On the asking of the Court Mr. H.S. Multani, AAG Punjab accepts notice.

List on 10.03.2022.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.

January 28, 2022
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(ALKA SARIN)
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the said order, he has joined the investigation and is not involved in any other case.

Learned State counsel, on instructions of ASI Gurjinder Singh, has submitted that the petitioner has joined the investigation and is not required for further custodial interrogation.

In view of the above, the interim order dated 28.01.2022 is ordered to be made absolute.

Accordingly, the present petition is allowed.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

March 10th, 2022
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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No