

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

206-1

CRM-M-3683-2022

Date of Decision:13.05.2022

JANKO RANI @ SIMRAN KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Krishan Kumar Thakur, Advocate for the petitioner.

Mr. A.A. Pathak, Addl. A.G. Punjab.

SUVIR SEHGAL, J.(ORAL)

On 31.01.2022, this Court passed the following order:-

“Heard through video conferencing.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.0110 dated 02.09.2019, registered for offences under Sections 452, 323, 354, 148 and 149 of the Indian Penal Code, 1860, at Police Station Sadar Jalalabad, District Fazilka (Annexure P-1).

Counsel for the petitioner submits that though allegations of rape have been levelled by the complainant against co-accused, Jagdish Singh and Sandeep Singh, but during investigation, it was found that the allegations are false. Still further, he submits that the petitioner, who is a 33 years' old lady, is alleged to be a part of unlawful assembly and no role has been attributed to her. He urges that it is a case of version and cross version.

Notice of motion.

On asking of the Court, Mr. P.S.Walia, AAG, Punjab accepts notice on behalf of the respondent-State. He seeks and is granted time to file status report.

List on 29.03.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer. 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.”

Status report by way of an affidavit of Deputy Superintendent of Police, HF-CAP Additional Charge, Sub-Division Jalalabad, District Fazilka, has been filed on behalf of the respondent-State, wherein it has been *inter alia* submitted that two injuries were found on the person of the injured-Guro Bai and after investigation, the allegation of rape was not found to be established. It has been submitted further that offence under Section 354 of IPC has been deleted, Section 354-B of IPC has been added and a cross-case has been registered against eight persons, including Guro Bai.

Upon instructions from ASI Gurbaksh Singh, State counsel submits that the petitioner has joined the investigation.

In view of the above, the present petition is allowed and the order dated 31.01.2022 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.

13.05.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No