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

CRM-M-8322-2022

Date of decision : 21.11.2022

Seema

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. S.K. Choudhary, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.59 dated 24.04.2020 registered under Sections 379, 473 of the Indian Penal Code, 1860 (45 of 1860) at Police Station Sultanwind, District Amritsar.

On 22.03.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the petitioner has argued that the petitioner is closely related to the complainant, who is her brother-in-law and has falsely implicated the petitioner after the death of petitioner's husband. He submits that the petitioner has been implicated on the basis of disclosure statement made by co-accused, namely, Manmohan Raj @ Mannu (cousin of the petitioner), who has been released on

regular bail by the trial Court. According to him, the dispute between the parties relates to their joint property and is of civil nature.

Adjourned to 10.08.2022.

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

22.03.2022

Sd/- (MANOJ BAJAJ)

JUDGE”

Thereafter, on 22.09.2022, the following order was passed by this Court:-

“Learned State counsel has stated that although, the petitioner has joined the investigation, but his further investigation is required.

Adjourned to 20.10.2022.

The petitioner is again directed to join the investigation on 29.09.2022 at 11:00 AM.

Interim order to continue.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid orders, the petitioner has joined the investigation.

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

Learned counsel for the petitioner and learned counsel for the

State, on instructions from ASI Surjit Singh, have jointly stated that the cancellation report has been filed in the Court on 26.09.2022.

Learned counsel for the complainant has submitted that as per his instructions, vide order dated 19.11.2022, the cancellation report has been rejected and further investigation has been ordered.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 22.03.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation and also the fact that as per the learned State Counsel, the cancellation report has been submitted in the Court, the present petition is allowed and the interim order dated 22.03.2022 is ordered to be made absolute.

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.

21.11.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No