

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(211-1)

CRM-M-14373-2022

Date of decision:- 31.05.2022

Sumitri Devi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Munish Puri, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

...

**SUVIR SEHGAL, J. (Oral)**

On 18.05.2022, this Court passed the following order in the main case:-

*“Instant petition has been filed under Section 438 of Code of Criminal Procedure, 1973, seeking grant of anticipatory bail in case FIR No.19 dated 09.03.2022, registered under Sections 498-A and 323 of IPC, 1860, at Police Station Sadar, District Pathankot.*

*By referring to the affidavit dated 17.05.2022 of the petitioner, counsel for the petitioner contends that even though Section 406 of IPC has not been invoked, the petitioner has returned some of the articles, including a motorcycle alleged to have been entrusted to the accused, without admitting the allegations levelled in the FIR.*

*Notice of motion.*

*On asking of the Court, Mr. A.S. Gill, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State. This fact has been verified by him, upon instructions from ASI Balwinder Kumar, though, he submits that some more recoveries are yet to be effected from the petitioner.*

*List on 31.05.2022.*

*Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating*

*Officer and in the event of arrest, the petitioner shall be admitted to interim bail on his 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.”*

Upon instructions received from ASI, Ram Lal, State counsel submits that the petitioner has joined the investigation and some recovery has been effected from her.

In view of the above, order dated 18.05.2022 is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

Petition is allowed.

31.05.2022  
Kamal

(SUVIR SEHGAL)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |