

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(222)

CRM-M-23028-2022
Date of decision:- 19.09.2022

Manjinder Kaur and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Narinder S. Lucky, Advocate for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

On 25.05.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.25 dated 03.04.2022, registered for offences under Sections 376, 506, 120-B and 34 of the Indian Penal Code, 1860, at Police Station Mehtiana, District Hoshiarpur (Annexure P-1).

Counsel for the petitioner contends that petitioner No.1 is the sister of main accused, Inderjit Singh and petitioner No.2 is the husband of petitioner No.1. He submits that allegation against the petitioners is that they took the prosecutrix from Gurudwara Sahib at Amritsar to Baba Budha Diamond Colony, Amritsar, where Inderjit Singh sexually assaulted her. Counsel contends that incident took place in July, 2020 and as per allegation in the FIR, the prosecutrix escaped from the hands of Inderjit Singh in September 2020, the FIR has been lodged in April 2022 and there is no explanation for the delay.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State.

List on 19.09.2022.

Meanwhile, the petitioners shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Upon instructions received from ASI, Jasbir Singh, State counsel submits that the petitioners have joined the investigation and they are no longer required for custodial interrogation.

In view of the above, but without commenting upon the allegations levelled in the FIR, present petition is allowed.

Order dated 25.05.2022 granting interim bail to the petitioners, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

19.09.2022
Kamal

(SUVIR SEHGAL)
JUDGE

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