

CRM-M-26494 of 2022

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-26494 of 2022
Date of decision:18.08.2022

Kirandeep Kaur @ Suniyari

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vishavjeet Singh Rishi, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.48 dated 13.05.2022, registered for offences under Sections 376, 384, 506 and 120-B of Indian Penal Code, 1860 at Police Station Payal, District Khanna (Punjab) (Annexure P-1).

On 15.06.2022, this Court passed the following order:-

“Counsel submits that the petitioner is willing to surrender her mobile phone for the purpose of investigation and cooperate, in contrast to the argument raised before the Court below that she does not have the mobile phone.

Notice of motion for 18.08.2022.

Mr.A.A.Pathak, Addl.A.G., Punjab accepts notice on behalf of the State.

In the meantime, it is directed that the petitioner will

surrender her mobile phone and shall join investigation and in the event of her arrest, she shall be released on ad interim bail by the Investigating Officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down under Section 438(2) Cr.P.C.”

Counsel for the petitioner submits that petitioner has joined investigation and the prosecutrix has been examined before the Trial Court in the proceedings pending against the main accused-Gurpreet Singh. By making a reference to her testimony, counsel submits that she has denied the allegation of sexual assault and also that accused Kirandeep Kaur @ Suniyari, present petitioner and Geeta extorted money from her under the threat of circulating her obscene video.

Upon instructions from SI Rajwant Kaur, State counsel has affirmed the fact that the petitioner has joined the investigation. He has further instructions to state that she is not required for custodial interrogation and mobile phone has been recovered.

In view of the above facts, but without commenting on the merits of the case, present petition is allowed and order dated 15.06.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

August 18, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No