

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

(Sr. No. 214)

CRM-M No.26569 of 2022

Date of decision : 10.08.2022

Jangir Kaur

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Sumit Jain, Addl. A. G., Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 0299 dated 25.12.2021 registered under Sections 363, 366, 376(2)(n), 341, 354-A(I), 354-D(I), 120-B and Sections 6, 8, 12 of the POCSO Act, 2012, at Police Station City Ratia, district Fatehabad.

On 15.06.2022, this Court had passed the following order : -

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in a case registered against her vide FIR No.0299 dated 25.12.2021 under Sections 363, 366, 376(2)(N), 341, 354-A(I), 354-D(I), 120-B IPC and Sections 6, 8, 12 of POCSO Act, 2012 with Police Station City Ratia, District Fatehabad.

The learned counsel for the petitioner inter alia contends that the only allegation against the petitioner is

that she provided a room in her house to Saravjit Singh (her son) and the prosecutrix and that she took the couple to an Advocate. He further contends that being the mother of Saravjit Singh, she was unaware of the age of the prosecutrix and even otherwise, Saravjit Singh is already in custody and her custodial interrogation is not required.

Notice of motion for 10.08.2022.

In the meantime, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 28.06.2022 and in the event of her arrest, she shall be released on bail on her furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- (i) that the petitioner shall make herself available for interrogation before the investigating officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender her passport, if any.*

Meanwhile, the State is directed to file an affidavit as to the exact role of the petitioner and her co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 15.06.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

10.08.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No