

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-32195-2021 (O&M)
Date of Decision:- 21.01.2022

PAL KAUR ALIAS PALO

... *Petitioner*

Versus

STATE OF PUNJAB

... *Respondent*

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. H.S. Aujla, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.(Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.141, dated 23.6.2020, registered under Sections 22 and 29 of NDPS Act, Police Station Sadar Samana, District Patiala. The petitioner apprehended her arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 7.9.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged contraband was recovered from co-accused Makhan Singh, who was arrested on the spot and subsequently, on his disclosure statement, the petitioner has been indicted as an accused. According to him, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 21.01.2022.

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.”

Learned counsel for the petitioner further states that in deference to the said order, the petitioner submitted herself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Angrej Singh does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 7.9.2021 is made absolute.

21.01.2022
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(MANOJ BAJAJ)
JUDGE

Whether speaking /reasoned Yes

Whether Reportable No