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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34947-2021 (O&M)
Date of Decision: 19.01.2022

Kuljit Kaur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amandeep Singh Manaise, 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.60 dated 12.06.2021, registered under Sections 304 and 149 IPC and Sections 21 and 29 NDPS Act at Police Station Rangar Nangal, Police District Batala, District Gurdaspur. The petitioner apprehends 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 26.08.2021, 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 for the petitioner contends that the case of the petitioner is at par with her co-accused Kulwinder Kaur, who has been granted the concession of anticipatory bail vide order dated 02.08.2021 (Annexure P-2). He submits that according to prosecution, Kulwant Singh (husband of the petitioner) provided drugs to the victim, who died of overdose and, therefore, in these facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 17.12.2021.

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 Baldev Raj 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 26.08.2021 is made absolute.

19.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No