

CRM-M-31968 of 2022

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211-A

CRM-M-31968 of 2022
Date of decision:18.08.2022

Geeta Rani

... 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)

On 26.07.2022, this Court passed the following order:-

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

Counsel for the petitioner contends that although in the first statement recorded under Section 164, Cr.P.C., the complainant has supported the allegations levelled in the FIR, but in the subsequent statement, she has not done so. Counsel submits that the petitioner has a two month old child, who is totally dependent upon her. Reliance has also been made by him upon order dated 15.06.2022 passed in CRM-M-26494-

2022 (Annexure P-4), whereby, co-accused, Kirandeep Kaur @ Suniyari has been granted interim bail by this Court. He submits that main accused, Gurpreet Singh, has been apprehended.

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. Upon instructions from L/SI, Jaswant Kaur, he submits that co-accused, Kirandeep Kaur @ Suniyari has joined the investigation and mobile phone has been recovered from her, which has been sent to the Forensic Science Laboratory for examination.

List on 18.08.2022.

To be heard with CRM-M-26494-2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, she shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. She shall also abide by the conditions as specified 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 the prosecutrix

has denied the allegation of sexual assault and that accused Geeta, present petitioner and Suniyari 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.

Interim order dated 15.06.2022 passed in the case of co-accused, Kirandeep Kaur @ Suniyari in CRM-M-26494 of 2022 has been made absolute by an order passed by this Court on even date.

In view of the above facts, but without commenting on the merits of the case, present petition is allowed and order dated 26.07.2022 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