

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-37012-2021
Decided on : 08.02.2022

Monidipa Goswami

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL
(Through Video Conferencing)

PRESENT: Mr. Vishal Aggarwal, Advocate
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail to the petitioner in case FIR No. 33 dated
01.04.2021 under Sections 451, 447, 511, 506, 34, 454 and 380 of the
Indian Penal Code, 1860 registered at Police Station Cantt., Bathinda.

On 08.09.2021, a coordinate Bench of this Court was pleased
to pass the following order:-

*“Instant petition has been filed under Section 438 of
the Code of Criminal Procedure, 1973 for grant of
anticipatory bail in case FIR No.33 dated 01.04.2021,
registered for offences under Sections 451, 447, 511, 506,
34, 454 and 380 of the Indian Penal Code, 1860, at Police
Station Cantt., Bathinda (Annexure P-1).*

*Counsel for the petitioner submits that the petitioner
and the complainant have been married for 24 years and the
FIR is outcome of marital dispute between them. He submits*

that a divorce petition, Annexure P-2, three civil suits are pending inter-se the parties. By referring to the order dated 05.08.2021, Annexure P-11, counsel submits that the petitioner was initially granted interim protection by the Ld. Additional Sessions Judge, Bathinda, which order was subsequently vacated on 24.08.2021, Annexure P-13. Counsel submits that the petitioner is ready to join and cooperate with the investigation.

Notice of motion.

On asking of the Court, Mr. Harpreet Singh Multani, AAG, Punjab accepts notice on behalf of respondent-State.

List on 08.02.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called for 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.

*(SUVIR SEHGAL)
JUDGE ”*

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 08.09.2021, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Jasbir Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 08.09.2021 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition

is allowed and the interim order dated 08.09.2021 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

February 8th, 2022
Mehak

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No