

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRM-M-42752-2021

Decided on :01.06.2022

Balwinder Kaur

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**PRESENT:** Mr. Saajan Singla, Advocate for
Ms. Bhavna Grewal, Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No.83 dated 13.06.2021 registered under Sections 323, 325, 506 and 34 of the Indian Penal Code, 1860 (Section 326 IPC added later on) at Police Station Jhansa, District Kurukshetra.

On 11.10.2021, a coordinate Bench of this Court was pleased to pass the following order:-

“Submits, inter alia, that the petitioner, who is a woman, was herself attacked by the complainant side and suffered serious injury on her left eye, as can be seen from her MLR (Annexure P-3). Submits further that this is a case of version and counter-version concerning the same occurrence lodged by the opposite sides and that the petitioner has been motivatedly framed at the behest of the complainant side in a bid to avoid their own responsibility for having attacked and injured the petitioner.

2. *Notice of motion.*

3. *On the asking of the Court, Mr. Bhupender Singh,*

DAG, Haryana accepts notice on behalf of the State. Let a copy of the Paper-book be supplied to him.

4. *To come up on 13.12.2021.*

5. *In the meantime, no coercive steps shall be taken against the petitioner, who is a woman.*

11.10.2021

*Sd/-
(SUDIP AHLUWALIA)
JUDGE ”*

Subsequently on 19.05.2022, the following order was passed:-

“Learned State counsel, on instructions from ASI Rajinder Kumar, has submitted that although the petitioner has joined investigation but she is not fully cooperating in the investigation.

Accordingly, the petitioner is directed to join investigation on 24.05.2022 at 11:00 AM.

Adjourned to 01.06.2022.

Interim order to continue.”

Learned counsel for the petitioner has submitted that in pursuance of the above orders, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Rajender Kumar, 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 11.10.2021 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 11.10.2021

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.

(VIKAS BAHL)
JUDGE

June 1st,2022
Mehak

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