

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

204

**CRM-M-46875-2021
Date of decision: 03.03.2022**

Rajbir Kaur and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gurmeet Singh, Advocate for
Mr. Amit Arora, Advocate
for the petitioners.

Ms. Ishneet Kaur, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in cross case DDR No.35 dated 14.10.2021 under Sections 323, 324, 354, 427, 452, 506, 148 and 149 IPC in FIR No.216 dated 06.10.2021 under Sections 323, 324, 326, 427, 452, 506, 148 and 149 IPC registered at Police Station Gharinda, District Amritsar Rural.

Learned counsel for the petitioners contends that it is a case of version and cross-version wherein both the sides received injuries at the hands of each other. It has been submitted that the aforementioned FIR No.216 was got registered by the husband of petitioner No.1 who received grievous injuries at the hands of the complainant herein i.e. in the aforementioned DDR. Learned counsel has further submitted that there was a history of strained relations between the parties and the occurrence had taken place inside the house of the petitioners and not as per the version given in the DDR in

question. While inviting the attention of this Court to the allegations levelled in the FIR, learned counsel has submitted that no injury has been attributed to the petitioners and the only role attributed to them is of ransacking household articles from the house of the complainant. Learned counsel has submitted that it is thus obvious that the complainant had come up with a fabricated version after the registration of the aforementioned FIR and implicated the petitioners to wreak vengeance on the opposite side. He further submits that in compliance of order dated 09.11.2021, the petitioners have joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from the investigating officer, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. She, on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

In view of the above, the petition is allowed and interim order dated 09.11.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

03.03.2022

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No