

262 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.44125 of 2022 (O&M)
Date of decision : 08.12.2022

Gurmeet Kaur

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Karandeep S.Sidhu, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

The petitioner has prayed for grant of pre-arrest bail in FIR No.63 dated 02.08.2022 registered under Sections 436/427/506/34 IPC, at Police Station Bariwala, District Sri Muktsar Sahib.

On 23.09.2022 while issuing notice of motion the following order was passed:-

“Apprehending her arrest in FIR No.63 dated 02.08.2022, registered for offences punishable under Sections 436, 427, 506 and 34 of IPC at Police Station Bariwala, District Sri Muktsar Sahib, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

*Counsel for the petitioner inter alia contends that the matter is purely of civil nature and the same relates to dispute w.r.t. Possession over the property. Apart from naming the petitioner, no such specific role has been attributed to her. However, relies upon order dated 14.09.2022 passed by this Court in CRM-M-42068-2022, titled as '**Baljeet Kaur vs. State of Punjab**' (Annexure P-3), whereby co-accused Baljinder Kaur has been granted interim protection.*

Notice of motion returnable for 08.12.2022.

On the asking of the Court, Mr. Arun Gupta, AAG, Punjab, who is present in Court accepts notice on behalf of the respondent-State and submits that recovery of tractor is yet to be effected. However, he does not dispute the fact that as per the allegations levelled in FIR, the said tractor belongs to co-accused Gurjeet Singh @ Noor.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. She shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.

To be heard alongwith CRM-M-42068-2022. ”

Today, learned State counsel, on instructions from ASI Gurbhagwant Singh, has stated that pursuant to the order dated 23.09.2022, the petitioner has joined investigation and is no longer required for custodial interrogation.

In view of above, the interim order dated 23.09.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

This petition stands disposed off.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

**(PANKAJ JAIN)
JUDGE**

08.12.2022
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No