

CRM-M-50919-2021
Date of Decision 14.03.2022

VS

STATE OF PUNJABRespondent

Present:- Mr. S.S.Hira, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No. 197 dated 21.11.2021 registered under Sections 354/354-A/509/506 and 109 of The Indian Penal Code 1860, at Police Station Mahilpur, District Hoshiarpur.

On 06.12.2021 following order was passed:-

“Kamlesh Rani-petitioner is seeking anticipatory bail in case bearing FIR No. 197 dated 21.11.2021 under Sections 354/354- A/509/506/109 of IPC of 1860, registered at Police Station Mahilpur, District Hoshiarpur.

Briefly, the allegations with regard to outraging of modesty have been levelled against Budh Pal and Mangu. Learned counsel for the petitioner contends that family of Mangu is residing in the house as tenant under her. She has no role in the wrongful act committed by Budh Pal and Mangu. Petitioner had only tried to save the mother

of Budh Pal from the hands of the villager who visited the house for the purpose of giving beatings after the alleged occurrence. The petitioner has no concern with the unlawful and illegal act committed by the co-accused.

Notice of motion.

Ms. Ruchika Sabherwal, AAG Punjab accepts notice on behalf of the State.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C ”

Learned counsel for the petitioner contends that the petitioner has joined the investigation and his custodial interrogation is not required.

On the instructions of ASI Mukesh Kumar, learned State counsel states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 06.12.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition is allowed.

14.03.2022
Monika

(VIVEK PURI)
JUDGE

1. Whether speaking/ reasoned	:	Yes /No
2. Whether reportable	:	Yes /No