

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-54817-2021 (O&M)
Date of Decision:-26.8.2022

Nilam Kumari

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.S. Bhinder, Advocate for
Mr. S.K. Choudhary, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Munish Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.200 dated 13.12.2021, Police Station Shahpurkandi, District Pathankot, under Sections 302, 120-B and 34 of Indian Penal Code.
2. At the time of issuance of notice of motion, the following order was passed on 4.1.2022:

“Apprehending her arrest in FIR No.200 dated 13.12.2021, registered under Sections 302, 120-B, 34 of the IPC at Police Station Shahpurkandi, District Pathankot, petitioner seeks pre-arrest bail.

Learned counsel for the petitioner inter alia contends that the allegations levelled against the petitioner in FIR are merely

hearsay. No offence is made out against the petitioner on the strength thereof.

Notice of motion for 03.02.2022.

On the asking of the Court, Mr. Ayush Sarna, AAG, Punjab, appears and accepts notice on behalf of the respondent-State.

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.”

3. Learned counsel for the petitioner submitted that upon investigation, the petitioner has been found innocent and has been kept in coloumn No.2 of report under Section 173 Cr.P.C.
4. Learned State counsel, upon instructions from ASI Munish Kumar, has informed that the petitioner had joined investigation and she indeed has been kept in coloumn No.2 of report under Section 173 Cr.P.C.
5. In view of the aforestated position, wherein this Court finds that the petitioner has been kept in coloumn No.2 of report under Section 173 Cr.P.C. and has otherwise joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 4.1.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

26.8.2022

pankaj

Whether speaking /reasoned
Whether Reportable

(Gurvinder Singh Gill)
Judge

Yes / No
Yes / No