

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-7094-2023 in/and
CRA-S-457-2023
DECIDED ON: 16.02.2023

BALWINDER KAUR

.....APPLICANT-APPELLANT

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Liaqat Ali, Advocate
for the applicant-appellant.

SANDEEP MOUDGIL, J (ORAL)

CRM-7094-2023

Prayer in this application is for condonation of delay of 152 days
in filing the present appeal.

For the reasons mentioned in the application, the same is allowed
subject to all just exceptions. Delay of 152 days in filing the present appeal is
condoned.

The application is disposed of, accordingly.

CRA-S-457-2023

Learned counsel for the appellant contends that the present FIR is
a counter-blast against the appellant on account of protesting against the
complainant for selling of the intoxicant in the village. He further contends
that the allegations leveled in the present FIR do not disclose any specific
time, place or public view. It is also argued on behalf of learned counsel for
the appellant that the alleged offences are not made out against the appellant

and also in the light of the aspect that even the Sarpanch of village Chak Shabu also gave an affidavit to the effect that there is no dispute between the complainant and the appellant, who never uttered any such word against the caste of the complainant.

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State and on instructions from ASI Harjit Singh, submits that the appellant has already joined the investigation on various occasions including 22.11.2022, and is not required for further custodial interrogation.

In view of the submission made hereinabove, the order dated 14.06.2022 is set aside and the appellant is ordered to be released on anticipatory bail subject to the satisfaction of Arresting Officer/Investigating Officer on his joining investigation as and when called for and shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

The present appeal stands allowed in the aforesaid terms.

16.02.2023
Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>