

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-14536-2023

Date of Decision:29.08.2023

Simerjit Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rakesh Kumar, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab assisted
by ASI Jaspal Singh.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.0293 dated 18.09.2021 registered under Sections 365, 384, 342, 420, 120-B of the IPC registered at Police Station City Kapurthala, Tehsil and District Kapurthala.

On 03.05.2023, following order was passed:

“Prayer in this petition is for grant of anticipatory bail in case FIR No.0293 dated 18.09.2021 registered under Sections 365/384/342/ 420/120-B IPC at Police Station City Kapurthala, Tehsil and District Kapurthala.

Initially, one of the plea raised by the petitioner was that she is not named in the FIR. As per the status report, petitioner was named in the FIR by the name of Ashi. Petitioner was asked to file affidavit as to whether she is also known by the name of Ashi or not. Today, learned counsel for the petitioner submits that petitioner does not dispute the said fact and does not want to file affidavit in this regard. However, learned counsel for the petitioner has prayed to consider the application on merits on other points.

As per the prosecution allegations, petitioner along with coaccused extorted money from the complainant by putting him under the fear that he will be defamed in the family because he had come on

the telephonic call of a lady.

Learned counsel for the petitioner pointed out that coaccused Arwinder Singh, Sandeep Kaur and Sajjan Singh, faced trial and have already been acquitted vide judgment dated 06.01.2023. Petitioner and the complainant were known to each other as it is evident from the contents of the FIR and no reason is disclosed about meeting.

Having regard to the afore-said circumstances brought to the notice by counsel for the petitioner, let the petitioner join the investigation.

Adjourned to 27.07.2023.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

On instructions from ASI Jaspal Singh, it is conceded by learned State counsel that petitioner has since joined the investigation. In view of the same and having regard to the factual position noticed earlier on 03.05.2023, the petition is allowed and the order dated 03.05.2023 granting interim anticipatory bail to the petitioner, is made absolute.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 29, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No