

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207-A)

CRM-M-17114-2023

Date of Decision : July 17, 2023

Ajit Kaur

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gaurav Mohunta, Advocate and
Mr. Nishant Arora, Advocate, for the petitioner.

Ms. Gaganpreet Kaur, Deputy Advocate General, Haryana.

Mr. Parveen Sharma, Advocate, for the complainant.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.23 dated 20.01.2023 registered under Sections 148, 149, 323, 452 and 506 of the IPC (Section 307 IPC added later on) at Police Station Sadar Sonapat, District Sonapat.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 12.07.2023. Order dated 12.07.2023 is as under:-

“Status report by way of an affidavit of Jeet Singh, HPS, Assistant Commissioner of Police, Kharkhoda, Sonipat on behalf of respondent-State has been filed in the Court today and the same is taken on record.

Keeping in view the fact that similarly situated co-accused has already been directed to join the investigation and cooperate, the petitioner in the present petition is also directed to join the investigation and cooperate with the same so that truth behind the allegations should be unearthed.

Let the petitioner appear before the Investigating Officer on 14.07.2023 at 11:00 A.M.

In the event of her arrest, she shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on her furnishing bail bonds/surety bonds to his/her satisfaction subject to the following conditions:

i) That she shall make herself available for interrogation by the police officer as and when required.

(ii) That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.

(iii) That she shall not leave India without prior permission of the Court.

(iv) That she shall abide by all the conditions as enshrined under Section 438 (2) Cr.P.C.

Adjourned to 17.07.2023.

It is, however, made clear that after the petitioner join the investigation, in case any incriminating material comes to the light against the petitioner, the respondent-State will be at liberty to file appropriate application seeking the custody of the petitioner in case, the same is needed.”

Learned State counsel, on instructions from SI Ramesh, states that in terms of the order of this Court reproduced hereinbefore, the petitioner has joined the investigation and no further interrogation of the petitioner is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case she is required for the same in future as well.

In view of the above, the order dated 12.07.2023 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. She shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

July 17, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No