

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

209

Criminal Misc. No. M-18464 of 2023

Date of decision :-27.07.2023

Harjit Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Lalit Goyal, Advocate
for the petitioner.

Mr. Pankaj Khullar, AAG, Punjab.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.201 dated 16.12.2022, under Sections 363 and 366 IPC, registered at Police Station Kamboj, District Amritsar.

On 17.4.2023, this Court had passed the following order

:-

“This is a petition for grant of pre-arrest bail to the petitioner in case FIR No. 201 dated 16.12.2022 under Sections 363, 366 IPC, registered at Police Station, Kamboj, District Amritsar.

Learned counsel for the petitioner contends that offences alleged are not made out against the petitioner, who is mother of the main accused, Angrej Singh alias Mithu. The FIR was lodged on the statement of victim's father that her daughter was not traceable, and he apprehended that she

had been enticed away by Angrej Singh, in connivance with his mother/petitioner, who was aware about all this but concealed the fact from the complainant and his family. There is nothing on record to substantiate the allegation, which has been levelled only to falsely implicate the petitioner. It is further contended that in her statement under Section 164 Cr.P.C., the victim herself stated that she went with main accused, Angrej Singh, on her own. They left the house in the night on 15.12.2022, lived in a hotel in Haridwar for two days, and thereafter, came back. During that period, Angrej Singh did not commit any wrong act with her. She refused her medical examination, and also stated that her father/complainant got a wrong case registered against the accused. The main accused has already been admitted to regular bail by this Court vide order dated 13.04.2023.

Notice of motion.

Mr. Jashandeep Singh, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Adiourned to 27.07.2023.

In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest he shall be released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from the
Investigating Officer states that in terms of the order passed by this

Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 17.4.2023 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 the investigation and cooperate with the investigating agency in case she is required for the same in future 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 the 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 27, 2023

Vijay Asija

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No