

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

209

CRM-M-21703-2023

Date of decision: 28.08.2023

Sangeeta Devi

..Petitioner

Versus

State of Punjab

..Respondent

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Deepak Kohli, Advocate for  
Ms. Jigyasa Tanwar, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

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**AMAN CHAUDHARY, J.**

1. On 01.05.2023, this Court had passed the following order:-

“Learned counsel for the petitioner contends that the FIR in question was registered on the statement of one Pintu Kumar whose brother Sintu was injured in an incident which took place on 08.03.2023.

It has been contended that the main allegations were against the husband and son of the petitioner namely Salinder Jha and Rahul, who are both in custody. It has been submitted that even otherwise, the role attributed to the present petitioner is that of fist blows and that too, to her own son and husband. Learned counsel submits that both sides suffered injuries and on the complaint submitted by accused side, a DDR (Annexure P-7) was registered but no action has yet been taken by the police. Reference has been made to the medico legal reports (Annexure P-2 and Annexure P-3) pertaining to the complainant side and medico legal reports (Annexures P-4 to P-6) pertaining to the accused side. It has been submitted that the name of the petitioner has been dragged in just with a view to implicate all members of the family and that the FIR was registered with a delay of 03 days. Learned counsel submits that no other case stands registered against the petitioner. Learned counsel submits that the petitioner is willing to join investigation and abide by any condition imposed by this Court.

Learned counsel representing the State of Punjab submits that the injured Sintu Kumar is still not in a position to give a statement as he was badly injured in the incident.

Admittedly the main accused i.e. the son and the husband of the petitioner are in custody. The petitioner is a lady and

whether she was actually involved or not in the incident shall be determined at the stage of trial. She is not known to be a previous offender and, therefore, in the considered opinion of this Court, she deserves to be given a chance to join investigation without restraining her liberty for the time being.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of the respondent-State.

List on 28.08.2023.

In the meantime, the petitioner is directed to appear before the Arresting/Investigating Officer and join investigation. In the event of arrest, she shall be released on interim bail to the satisfaction of the Arresting/Investigating Officer, subject to compliance of the provisions of Section 438 (2) Cr.P.C.”

2. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, she shall make herself available without demur.

3. Learned State counsel on instructions from ASI Balvir Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. She also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 01.05.2023 granting interim bail to her, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to her.

( AMAN CHAUDHARY )  
JUDGE

28.08.2023  
ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No