

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CRM-M-22217-2023 (O&M)

Date of decision: 10.07.2023

Muskan

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner

Ms. Himani Arora, AAP Punjab

AMAN CHAUDHARY. J.

1. On 03.05.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 of Cr.P.C. for grant of pre-arrest bail to the petitioner in case of FIR No.134 dated 28.08.2022, registered under Sections 457, 380 IPC at Police Station City-II, Malerkotla, District Malerkotla.

Learned counsel contends that the petitioner has been falsely implicated in the case only on account of the fact that the complainant, who is her father-in-law, wanted to dispossess the petitioner and her husband from the house they are living in. There is an unexplained and inordinate delay of 21 days in lodging the FIR. Even otherwise, the offence attracting Section 457 IPC is not made out as they are residing in the same house. She has a minor girl child aged 1½ years and is not involved in any other case. She is ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab accepts notice on behalf of respondent-State and Ms. Sukhpreet Kaur, Advocate appears on behalf of the complainant.

Meanwhile, the petitioner is directed to join the investigation on or before 09.05.2023. In the event of her arrest, she shall be released on interim bail to the satisfaction of the Ar-

resting Officer, subject to compliance of the conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 10.07.2023.”

2. Learned State counsel on instructions from ASI Gurdeep Singh submits that the petitioner has joined investigation and fully co-operated with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
3. 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 03.05.2023 granting interim bail to her, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C
4. 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

10.07.2023
S.Sharma(syr)

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No