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

CRM-M-30129-2023 (O&M)

Date of decision: 12.09.2023

Guddan Devi alias Guddi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rakesh Gupta, Advocate,
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

MANJARI NEHRU KAUL, J.

1. Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.465 dated 21.09.2022 under Sections 307, 323, 324, 325, 326, 506, 34 of the IPC and Section 25 of Arms Act registered at Police Station Hodal, District Palwal.

2. Vide order dated 12.06.2023, petitioner was granted the concession of interim bail in the following terms :-

“Prayer in this petition filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.465 dated 21.09.2022 registered under Sections 307, 323, 324, 325, 326, 506, 34 IPC and Section 25 of Arms Act at Police Station Hodal, District Palwal.

Learned counsel for the petitioner contends that the main accused, namely, Robin has already been granted the benefit of interim anticipatory bail vide order dated 05.06.2023 in CRM-M-29540 of 2023. Apart

from this, there is no specific attribution to the petitioner and there is a version and cross-version.

Notice of motion.

Mr. Randhir Singh, Addl. AG, Haryana, accepts notice on behalf of the respondent- State.

Learned State Counsel has pointed out towards order dated 03.06.2023 passed by learned Additional Sessions Judge, Palwal (Annexure P.5) qua the petitioner, whereby anticipatory bail of the petitioner was rejected wherein it was observed that co-accused Robin alias Bhura had allegedly escaped from the police custody. In case, co-accused Robin alias Bhura has escaped from the police custody, the said fact may be brought to the notice of the Court in the anticipatory bail petition qua co-accused Robin alias Bhura.

As far as present petition is concerned, it is stated that there is no specific attribution to the petitioner.

Adjourned to 18.07.2023.

In the meantime, in case of her 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. She shall not contact any person associated with the case to dissuade her from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. She shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. ”

3. Learned counsel for the petitioner states that pursuant to order dated 12.06.2023, passed by this Court, the petitioner has joined the investigation and cooperated with the Investigating Agency. Learned counsel while drawing the attention of this Court to the allegations levelled

in the FIR in question submits that it was a case of version and cross version and even in the FIR which had been registered against the petitioner and her son, no injury had been attributed to her, other than having been shown at the time of alleged occurrence.

4. Learned State counsel has not disputed the submissions made by counsel opposite qua the role attributed to the petitioner in the crime in question.

5. In view of the above, the petition is allowed and interim order dated 12.06.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

12.09.2023

(MANJARI NEHRU KAUL)
JUDGE

Satyawan

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No