

2023:PHHC:108591

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

209

CRM-M-30569-2023 (O&M)
Date of decision: 21.08.2023

Rajrana Khatun

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Nippun Sharma, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J.

1. On 15.06.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.54 dated 05.05.2023, registered under Sections 302, 341, 323, 148, 149 at Police Station Maqsudan, District Jalandhar.

Learned counsel contends that the petitioner has been falsely implicated in the case. It is a case of version and cross-version. A DDR No.38 dated 06.05.2023 was lodged at the hands of the husband of the petitioner against the complainant party. Even as per the FIR, there is no attribution to her of having inflicted any injury to Amrit Singh. The attribution infact is to other 3 co-accused of having inflicted the 3 injuries on his head, stomach and chest, which are depicted in MLR. The petitioner is a lady aged 25 years, having 2½ months old girl child. The husband of the petitioner and the other co-accused, who had inflicted injuries to the deceased, are in custody. He further submits that the petitioner 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. Vinay Kumar Gupta, AAG Punjab accepts notice on behalf of respondent-State.

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 21.08.2023.

Meanwhile, the petitioner is directed to join the investigation on or before 22.06.2023. In the event of her arrest, she shall be released on interim bail to the satisfaction of

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

2. Learned counsel submits that in pursuance of the afore-mentioned 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 Kewal Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He 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 15.06.2023 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

August 21, 2023
M.Kamra

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