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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRA-D-765-2023

Date of decision : 09.08.2023

Shivani Kalia

.....Appellant

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR.JUSTICE RAJ MOHAN SINGH.
HON'BLE MR.JUSTICE HARPREET SINGH BRAR.**

Present: Mr. Bhanu Pratap Singh, Advocate for the appellant

Mr. Iqbal Singh Mann, DAG Punjab

Raj Mohan Singh, J. (Oral)

The appellant seeks grant of anticipatory bail in case bearing FIR No. 05 dated 04.01.2023, registered under Section 302, 34 IPC and Section 25 of Arms Act, 1959 (offence under Sections 212, 216, 452, 120-B, 148, 149 IPC, 17, 18, 18(B), 19, 20, 25 of the Unlawful Activities (Prevention) Act, 1967 (Amendment 2012) added later on).

Initially the FIR was registered under Sections 302, 34 IPC, Section 25 of the Arms Act, 1959. Offences under Sections 212, 216, 452, 120-B, 148, 149 IPC, 17, 18, 18(B), 19, 20, 25 of the Unlawful Activities (Prevention) Act, 1967 (Amendment 2012) were added later on vide DDR No. 22 dated 05.04.2023.

On 20.06.2023, the following order was passed :-

*“Present : Mr. Bhanu Pratap Singh, Advocate
for the applicant-appellant*

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Application is allowed as prayed for.

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Learned counsel for the appellant inter alia contends that the only allegation qua the appellant is regarding offences punishable under Sections 212, 216 of the Indian Penal Code and no offence under Unlawful Activities (Prevention) Act, 1967 is made out.

Notice of motion for 09.08.2023.

In the meantime, in the event of arrest, the appellant shall be released on interim bail, subject to her furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigation Officer. As and when called, the appellant shall join the investigation. She shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.

(PANKAJ JAIN)
JUDGE

(VIKRAM AGGARWAL)
JUDGE"

Learned State counsel on instructions from ASI Anwar Masih submits that against the appellant the allegations are only under Sections 212 and 216 IPC as she had provided shelter to his real brother Abhinav. The appellant has joined the investigation to the entire satisfaction of the Investigating Officer and she is no more required for any further investigation in the case.

In view of the statement made by learned State counsel, order dated 20.06.2023 is made absolute. However, the appellant shall keep on

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joining the investigation as and when required to do so by the investigating agency.

Appeal stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

(HARPREET SINGH BRAR)
JUDGE

August 09, 2023
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No