

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

209

CRM-M-33085-2023 (O&M)

Date of decision: 17.08.2023

Muskan

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Aarti Sharma, Advocate, for the petitioner.

Mr. Baljinder Singh Virk, Sr. DAG, Haryana.

AMAN CHAUDHARY. J.

1. On 13.07.2023, 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.432 dated 10.11.2022, registered under Sections 500, 506, 509 and 385 IPC and Section 67-A of IT Act, 2008, at Police Station City Narwana, District Jind.

Learned counsel inter alia contends that the present FIR is a counter blast to the earlier FIR No.426 dated 09.11.2022 lodged by the petitioner under Sections 323, 354, 354-D, 376, 452, 506 and 511 IPC against the son of the complainant. It is further submitted that petitioner has been falsely implicated in the present FIR. She is not involved in any other FIR. 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. Jagdish Manchanda, Addl. AG, Haryana, accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 20.07.2023. 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.

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 17.08.2023.

2. Learned counsel for the petitioner submits that in pursuance of the aforesaid 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 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 13.07.2023 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

17.08.2023

Ankur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No