

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210 (A)

CRM-M-40266-2023

Date of Decision:29.11.2023

Suman

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.K. Verma, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab
assisted by HC Jagdeep Singh.

DEEPAK GUPTA, J.(ORAL)

On 18.08.2023, following order was passed:

“By way of this petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.15 dated 19.01.2022 registered under Sections 380, 457 and 411 IPC at Police Station City Sunam, District Sangrur.

It is contended by learned counsel that alleged theft in the house of the complainant took place during 14.01.2022 to 19.01.2022 and the FIR was lodged against unknown persons. It is more than four months thereafter that one Kala Singh alias Punjab was arrested on the basis of secret information, who nominated co-accused Sarwan Singh @ Golu, Mandeep Singh and Lovepreet Singh to be involved in the theft. These persons, after their arrest, in their respective statements named seven more persons including the petitioner Suman.

It is further contended by learned counsel that the petitioner is neither named in the FIR nor her name surfaced in the initial disclosure statement and that her name surfaced in the second disclosure statement of the accused, who was arrested on the basis of initial disclosure statement.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day.

Adjourned to 05.10.2023 for filing status report.

To be heard along with CRM-M-37279 of 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.”

Today learned State counsel, on instructions from HC Jagdeep Singh, submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 18.08.2023 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

(DEEPAK GUPTA)
JUDGE

November 29, 2023
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No