

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**217****CRM-M No.42751 of 2023****Date of Decision: 11.12.2023**

Jaswinder Kaur

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Jaskirat Singh Dhaliwal, Advocate for the petitioner.

Mr. Harjinder Singh Sidhu, AAG Punjab.

Mr. Kshitiz Goel, Advocate for the complainant.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.125 dated 28.07.2023 under Sections 313, 498-A and 323 of the Indian Penal Code, 1860 registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

2. On 15.09.2023 the following order was passed :

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.125 dated 28.07.2023 under Sections 313, 498-A and 323 of the Indian Penal Code, 1860 registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib.

Learned counsel for the petitioner would contend that the alleged injuries received by the complainant have been declared to be simple in nature. One injury i.e. injury No.4 was kept under observation and the Board of Doctors have given an opinion that the cause of abortion cannot be ascertained. The learned counsel has further referred to the medical report produced by the complainant herself in which the history as given is that she was hit by a rod on the back and the leg. However, in the FIR the allegation is that she was hit in the stomach by the mother-in-law.

Notice of motion.

Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of the respondent-State of Punjab while Mr. Kshitiz Goel, Advocate has put in appearance representing the complainant.

List on 05.12.2023.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner states that the petitioner has

since joined investigation and fully cooperated.

4. Learned counsel for the State on instructions from HC Varinder has stated that the petitioner has since joined investigation and fully cooperated and that she is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 15.09.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

11.12.2023
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO