

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

211

CRM-M-43788-2023 (O&M)

Date of Decision : 01.12.2023

REETA RANI

.... Petitioner

VERSUS

STATE OF PUNJAB

.... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Manpreet Singh Dua, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

Mr. Arjun Veer Sharma, Advocate for the complainant.

ALKA SARIN, J. (ORAL)

1. 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.59 dated 24.06.2023 under Sections 323, 324, 354, 506, 34 of the Indian Penal Code, 1860 registered at Police Station Division No.3, District Police Commissionerate, Ludhiana (Annexure P-1).

2. On 02.09.2023 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.59 dated 24.06.2023 under Sections 323, 324, 354, 506, 34 of the Indian Penal Code, 1860, registered at Police Station Division No.3, District Police Commissionerate, Ludhiana (Annexure P-1).

Learned counsel for the petitioner would contend that

there is a delay of 06 days in lodging the FIR. Though the incident is alleged to have occurred on 18.06.2023, the FIR itself has been lodged on 24.06.2023. Learned counsel would further contend that the present petitioner has falsely been implicated in the case and even in the FIR there are general allegations and no particular injury has been attributed to the petitioner. It is further the contention that the injuries received by the complainant have been declared as simple in nature and out of 08 injuries, 04 injuries were received by the husband of the complainant out of which 03 injuries have been declared as simple and 01 has been kept under observation. It is further the contention that the injury which has been kept under observation is on the middle finger of the right hand and not on the vital part of the body.

Notice of motion.

On the asking of the Court, Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of the State. Mr. Arjun Veer Sharma, Advocate, has put in appearance on behalf of the complainant and has filed his vakalatnama, which is taken on record.

Learned counsel for the State on instructions from ASI Pawanjit Singh has reiterated that the injuries received

by the complainant have been declared as simple and out of 04 injuries received by the husband of the complainant, 03 have been declared as simple and 01 has been kept under observation and that injury too is on the middle finger of the right hand.

List on 01.12.2023.

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 adequate surety and personal bonds 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 would contend that pursuant to the said order, the petitioner has joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Pawanvir, has stated that the petitioner has since joined investigation and has 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 02.09.2023 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.

01.12.2023

Aman Jain

(ALKA SARIN)

JUDGE

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