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

CRM-M-45427-2023 (O&M)

Date of decision : 22.11.2023

Begam Hasina

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.90 dated 15.05.2023, under Sections 323, 326-B, 509 read with Section 34 of the Indian Penal Code, 1860, registered at Police Station Cantonment, District Amritsar.

2. Allegations are that petitioner along with co-accused caused injuries to the complainant.

3. A Coordinate Bench, on 13.09.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Notice of motion.

On advance service of copy of petition, learned State counsel appears and accepts notice on behalf of the respondent-State of Punjab and seeks time to file a report.

Adjourned to 22.11.2023.

In the meanwhile, petitioner shall join investigation, as and when required by the Investigating Agency and subject to her reporting to the Investigating Officer within two weeks from today, no coercive steps qua arrest of the

petitioner shall be taken. In case, her arrest is required to be caused, petitioner shall be released on bail by the Arresting Officer till the next date of hearing on her furnishing personal bonds to the satisfaction of Arresting Officer. Petitioner shall also abide by all the conditions as envisaged under Section 438 (2) Cr.P.C.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and her custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 13.09.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

9. Disposed off accordingly.

22.11.2023

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :
Whether Reportable :

Yes	No
Yes	No