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

CRM-M-46195-2023 (O&M)

Date of decision : 17.10.2023

Bholi Kaur

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Petitioner in person with
 Mr. Shakti Mehta, Advocate.

Mr. C.L. Pawar, Addl.A.G., Punjab,
assisted by HC Gagandeep Singh.

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.0060 dated 15.03.2022, under Section 380 of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station City Samana, District Patiala.

2. Allegations against the petitioner are that she along with other co-accused committed theft of 02 *thans* of turban cloth from the shop owned by the complainant, namely, Gagandeep Nagi.

3. This Court, on 19.09.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Posted for 17.10.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit her to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The

petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.

Let the petitioner be present in person on the next date of hearing.”

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 19.09.2023 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.

17.10.2023

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No