

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

**CRM-M No.50954 of 2023 (O&M)
Date of decision : 05.12.2023**

Manju Bahri

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. C.L.Pawar, Addl. A.G., Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.63 dated 16.07.2023 (P-1), under Section 447 read with Section 511, 454, 380, 506 read with Section 34 of the Indian Penal Code, 1860, registered at Police Station Jodhewal, District Ludhiana.

(2) Above FIR was registered on the basis of statement made by complainant-Ashok Kumar with the allegations that petitioner along with her son Deepak Bahri @ Honey and two unidentified persons have broken the locks of his four shops; stolen the articles lying therein and tried to take

forcible possession of the same. Accused Deepak Bahri @ Honey also threatened the complainant with dire consequences.

(3) This Court, on 09.10.2023, granted interim bail to petitioner and the order passed in the main case reads as under:-

“Contends inter alia that civil suit (P-4) is already pending between the parties.

Notice of motion.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 05.12.2023.

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, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and her custodial interrogation is not required.

(5) Learned State Counsel, on instructions from S.I. Avtar Singh, submits that petitioner has joined investigation and as on today, her custodial interrogation is not required.

(6) In view of above, interim order dated 09.10.2023 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.
- (10) Pending application(s), if any, shall also stand disposed off.

December 5, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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