

215

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.51699 of 2023 (O&M)
DECIDED ON: 18th DECEMBER, 2023

JAGEETA DEVI ALIAS DEVI SHARMAPETITIONER

VERSUS

STATE OF HARYANARESPONDENT

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Pradeep Chhoker, Advocate for
Mr. Nishant Chauhan, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

1. On 12.10.2023 the following order was passed:-

“CRM-43340-2023

*For the reasons stated in application, same is allowed subject to all just exceptions.
Leave to file present case without number of Roll Advocates is granted.*

CRM-M-51699-2023

Apprehending her arrest in FIR No.955 dated 03.08.2023 registered for offence punishable under Sections 420, 467, 468, 471, 120-B IPC at Police Station Panipat City, District Panipat, Haryana, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Notice of motion.

On asking of the Court, Mr. Gaurav Bansal, D.A.G., Haryana. appears and accepts notice on behalf of the respondent/State.

To be heard along with CRM-M-45443-2023 on 18.12.2023.

Interim order in the same terms as CRM-M-45443-2023”

2. Learned State counsel on instructions from PSI Himanshu has stated that pursuant to the order dated 12.10.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 12.10.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. This order should not be treated as "blanket" order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
5. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency, to investigate into the charges against the petitioner.
6. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.
7. It will be open to the police or the investigating agency to move this court for a direction under Section 439 (2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
8. Petition stands disposed off.
9. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

18.12.2023
mahima

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No