

2023:PHHC:164768

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

236/2

CRM M-62043 of 2023
Date of Decision: 21.12.2023

Rupinder Kaur ...Petitioner
Vs.
State of Punjab ...Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. J.S. Brar, Advocate, for the petitioner.
Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 438 of the Cr.P.C. with a prayer to grant pre-arrest bail to her in case FIR No.0404 dated 19.09.2023 registered under Sections 353, 186, 189, 499, 500 and 506 of IPC at Police Station Goindwal Sahib, District Tarn Taran.

2. While issuing notice of motion on 11.12.2023, a Coordinate Bench of this Court had noticed the following contentions:-

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case by the complainant. He further submits that earlier also the complainant had got filed another FIR against the petitioner as well as her mother. He submits that the petitioner had been seeking

redressal of her grievance from the office of the complainant and the false case has been registered.

3. Notice of motion.

4. On the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, present in Court, accepts notice on behalf of the State-respondent and prays for time to file the status report/reply in the matter.

5. Learned counsel for the petitioner submits that another petition bearing No.CRM-M-59097-2023 titled 'Kuljeet Kaur and another Versus State of Punjab', is pending before Co-ordinate Bench for 20.12.2023 and requests that the same may be heard along with CRM-M-59097-2023".

3. Learned counsel for the petitioner contends that the petitioner is ready to join the investigation and no recovery is to be effected from her.

4. On the other hand, learned State counsel has opposed the submissions made by learned counsel for the petitioner and submits that the petitioner and her mother had restrained the officials from discharging their official duties.

5. I have heard learned counsel for the parties and perused the record.

6. The petitioner has already been admitted to the concession of the anticipatory bail by this Court in the connecting case vide order of the even date. Even, the petitioner has joined the investigation in the said case. In view of the facts and circumstances

of the present case, the custodial interrogation of the petitioner may not be required at this stage.

7. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

21.12.2023

(N.S.SHEKHAWAT)

amit rana

JUDGE

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No