

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-4448-2024
Date of decision: 29.02.2024

SUKHWINDER KAURPETITIONER(S)

VERSUS

STATE OF PUNJABRESPONDENT(S)

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. P.S. Sekhon, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

1. By way of present petition filed under Section 438 of Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
249	12.12.2023	15, 25 and 29 of NDPS Act and Section 25 of Arms Act and Section 473 of IPC	Sidhwan Bet, District Ludhiana (Rural).

2. Learned counsel for the petitioner submits that in compliance to the order dated 07.02.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 07.02.2024.

3. Learned State counsel, on instructions from SI Gursewak Singh, intimates that the petitioner had joined the investigation in the case and is no more required for any custodial investigation in this case nor he is required for further investigation.

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4. During the course of hearing on 07.02.2024, following order was passed:

“Learned State counsel has filed status report dated 07.02.2024 in the form of an affidavit of Deputy Superintendent of Police (D), Jagroan, District Ludhiana, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner and he does not disputed the factual matrix.

3. Considering the fact that the petitioner is lady (aged about 50 years) and without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and in the event of her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

4. List on 29.02.2024.”

5. Keeping in view the respective submissions made by learned State counsel and considering the fact that the petitioner had already joined the investigation and is no more required for further investigation nor he is required for any custodial interrogation, interim bail granted vide order dated 07.02.2024 is hereby confirmed subject to conditions as envisaged under Section 438(2) Cr.P.C. Further, the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not
be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

29.02.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |