

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

298(3)

CRM-M-4875-2024
Date of Decision:20.03.2024

HARPREET KAUR @ PREETIPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mohit Kumar, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

On 31.01.2024, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.129 dated 28.11.2023 registered under Sections 457, 380 IPC at Police Station Longowal, District Sangrur.

FIR was lodged on the complaint of Vikas Garg, as per which he is running a sheller under the name and style of Shri Naini Devi Rice Mill, in which the paddy bags are stored as purchased from the Government. It was alleged that during the intervening night of 24/25.11.2023 when complainant went to his sheller, he found 18 bags of the paddy weighing 37.5 kilogram each to be missing. He made enquiry at his own level and came to know that petitioner along with others had committed the theft.

It is contended by learned counsel that petitioner has been falsely implicated; that no source has been disclosed by the complainant by which he came to know about the role of the

petitioner. It is further pointed out that it is not even mentioned as to when the complainant came to know about the role of the petitioner in committing theft and on what basis.

It is also contended by learned counsel that on the same footing, coaccused Upkar Singh alias Gaggi and Sukhdeep Singh alias Kaka have already been granted the benefit of interim anticipatory bail vide orders dated 21.12.2023 and 08.01.2024 passed by this Court in CRM-M-64547 of 2023 and CRM-M-127 of 2024 respectively, copies of which are Annexures P.3 and P.4.

Notice of motion.

Mr. Karunesh Kaushal, AAG, Punjab, accepts notice on behalf of the respondent- State.

Adjourned to 18.03.2024.

To be heard along with CRM-M-64547 of 2023 and CRM-M-127 of 2024.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. She shall not contact any person associated with the case to dissuade her from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. She shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 31.01.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

20.03.2024
pry

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No