

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

211

CRM-M-6215-2024

Date of decision: 14.03.2024

KAJAL

...PETITIONER

V/s

STATE OF PUNJAB

...RESPONDENT

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. R.S. Manhas, Advocate
for the petitioner.

Mr. Adhiraj Singh Thind, AAG, Punjab.

Mr. S.K. Choudhary, Advocate for the complainant.

SUMEET GOEL, J.

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.129 dated 21.11.2023, registered for the offences punishable under Sections 363 and 366 of IPC at Police Station Sujanpur, District Pathankot.

2. On 06.02.2024, the following order was passed:-

“Apprehending her arrest in FIR No. 129 dated 21.11.2023 registered for offences punishable under Sections 363, 366 of IPC at Police Station Sujanpur, District Pathankot; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.
Inter alia contends that the petitioner is a young lady, aged about 21 years; the prime allegation against the petitioner is that she has helped her brother namely Rohit Kumar in eloping away with the victim Tamana & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Mr. S.K. Choudhary, Advocate has filed vakalatnama for the complainant. The same be taken on record.

Adjourned to 13.02.2024.

The petitioner is directed to appear before the Investigating Officer on 08.02.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. She shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

3. Learned State counsel, on instructions from ASI Pawan Kumar, has stated that pursuant to the order dated 06.02.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the present petition is allowed and interim order dated 06.02.2024, passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5. 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.

6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.

7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
8. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)

JUDGE

March 14, 2024

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