

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207-2

CRM-M-7283-2024

Date of decision: 06.03.2024

Nikita Roy

.....Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kulwant Singh, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.233 dated 21.12.2020 under Sections 323, 324, 341, 379, 307, 148, 149 of the IPC, registered at Police Station Jodhewal, District Ludhiana.

2. On 12.02.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked her to join investigation:-

“Learned counsel for the petitioner, inter alia, contends that a perusal of the FIR in question clearly reveals that no injury much less inviting the mischief of Section 307 of the IPC has been attributed to the petitioner, who is a lady. It has been submitted that the only role attributed to the petitioner is of instigating the co-accused to inflict injuries upon the complainant.”

3. Learned counsel for the petitioner submits that in compliance of order dated 12.02.2024, the petitioner has joined

investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Malkeet Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for her custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 12.02.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

06.03.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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