



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

209**CRM-M-7260-2024****Date of decision: 22.07.2024**

Avneet Kaur @ Sita Ram

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr.Ashok Kumar Khunger, Advocate, for the petitioner.

Mr. Navdeep Singh, 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.0133 dated 21.12.2023 under Sections 341, 323, 379-B, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station Bahawala, District Fazilka.
2. On 12.02.2024, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner submits that all the Sections under which the petitioner has been charge areailable except for Section 379-B of IPC and qua the same, it is submitted that the ingredients of Section 379-B of IPC are not made out, as it is not a case of unknown identity qua the petitioner. Although, in the FIR it is mentioned that 7-8 unknown persons armed with



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baseball, dangs and gandassi inflicted injuries on the complainant. However, since, the name of the petitioner was duly mentioned in the FIR, therefore, Section 379-B of IPC could not have been attracted.”

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 H.C. Harsh Kumar, 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 his 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.

(MANJARI NEHRU KAUL)
JUDGE

July 22, 2024
poonam

Whether speaking/reasoned:	Yes
Whether reportable:	No