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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22815-2023 (O&M)
Date of Decision: 23.01.2024

Sushma Devi
Vs.
State of Punjab and another

.. Petitioner

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

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

Mr. Anup Singh, AAG, Punjab.

Mr. Shubham Bhalla, advocate
for respondent No.2.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.46 dated 19.04.2023, under Sections 498-A, 406 and 506 IPC registered at Police Station Sadar Pathankot.
2. On 08.05.2023, the following order was passed:-

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No.46 dated 19.04.2023 under Sections 498-A, 406, 506 of IPC, at Police Station Sadar Pathankot (Annexure P-1).

Learned counsel for the petitioner submits that all the allegations leveled in the FIR are vague and evasive and are self- contradictory. No offence is made out against the petitioner, as the ingredients of Sections 498-A, 406 and Section 506 of IPC are not made out. He further submits that the petitioner is a Government servant and that is the only reason that he has been dragged into the litigation to exert pressure on the son of the petitioner, who has already filed divorce petition before lodging of the present FIR.

Notice of motion.

Mr. Arun Gupta, AAG, Punjab, accepts notice on behalf of the State.

Without commenting on the merits of the case, at this stage, the petitioner is directed to join the investigation on 15-

05-2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.
In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to be satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.
Adjourned to 17-05-2023.”

3. Learned State counsel on instructions has stated that pursuant to the order dated 08.05.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the interim order dated 08.05.2023 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 interpreted as 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.

23.01.2024

Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No