

2024:PHHC:113515



CRM-M-30536-2024

(1)

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

[214]

CRM-M-30536-2024

Date of decision: 02.09.2024

SUMAN

.....PETITIONER

Versus

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashish Soi, Advocate for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in FIR No.56 dated 24.04.2024 for the offences under Sections 353, 186, 506 and 34 IPC (Section 332 IPC added later on) and Section 68 of Excise Act registered at Police Station Moti Nagar, Ludhiana.

2. On the last date of hearing i.e. on 26.06.2024 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 the petitioner is a 48 years old lady, who had no axe to grind against the complainant/police official. While drawing the attention of this Court to the allegations levelled in the FIR in question, learned counsel submits that even otherwise, neither the petitioner has been specifically named therein nor any specific attribution made qua her much less of causing any injury upon the complainant. In support, learned



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counsel has drawn the attention of this Court to the FIR, which has been annexed as Annexure P-1.”

3. Learned counsel for the petitioner has submitted that the petitioner, in compliance of order dated 26.06.2024, has joined the investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Kuldeep Kaur, has not disputed the submission made by the counsel opposite. He, on further instructions, submits that the petitioner is not required for custodial interrogation.

5. In view of the above, present petition is allowed and interim order dated 26.06.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC./482(2) of BNSS, 2023.

6. Needless to add, in case the petitioner misuses the concession of bail granted to her, the State would be at liberty to seek cancellation of the same.

September 02, 2024*Anjal****(MANJARI NEHRU KAUL)****JUDGE**

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