



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-32864-2024(O&M)
Date of Decision: 30.08.2024

SWARANJIT KAUR
STATE OF PUNJAB

VERSUS

....Petitioner
....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Siddharth Gupta, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. G.S. Aulakh, Advocate
for the respondent no.2/complainant.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 438 of Cr.P.C.
seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
45	02.05.2024	P.S. City Rampura, District Bathinda	324, 323, 506 & 34 of IPC (offence under Section 326 of IPC added lateron)

2. Vide order dated 15.07.2024 passed by this Court, the petitioner
was released on interim bail and was directed to join investigation. Order
dated 15.07.2024 is reproduced as under:-

*“The instant petition has been filed under Section 438 of
Cr.P.C. by the petitioner seeking pre arrest bail in case arising
out of FIR No.45 dated 02.05.2024 registered under Sections
324, 323, 506 and 34 of IPC (offence under Section 326 of IPC
added later on) at Police Station City Rampura, District*



Bathinda on the basis of statement recorded by the complainant Jagdeep Singh alleging that on the night of 26.04.2024, he was called by the present petitioner in the street and when he reached there, she called her son Lovepreet Singh and instigated him to teach him a lesson. In the meantime, her son Lovepreet Singh and brother-in-law namely, Sukhdev Singh co-accused reached there and had opened an assault upon him. Sukhdev Singh had given sword blow upon him. Upon his threat, he raised alarm on hearing of which, his wife-Sukhwinder Kaur came out from house and she too assaulted by the petitioner. The petitioner had joined the investigation before the Police before addition of offence punishable under Section 326 of IPC. Investigation is underway. Apprehending her arrest, she moved an application for grant of pre arrest bail before the Court of learned Additional Sessions Judge, Bathinda which had been dismissed vide order dated 05.07.2024.

It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. The injuries on the person of the victim had not been attributed to her. Offence under Section 326 had been added after 6 days. She is ready to join investigation. No recovery is to be effected from her. Hence, it is urged that her custodial interrogation is not required.

Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.

Adjourned to 30.08.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of her arrest, the Investigating/Arresting



Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C. ”

3. Learned State counsel filed status report dated 29.08.2024. The same is taken on record. He further, on instructions from the investigating officer states that the petitioner has joined the investigation on 22.07.2024. No recovery has been effected from the petitioner. His custodial interrogation is not required. No useful purpose would be served by detaining him in custody. In view of the said facts but without commenting on the merits of the case, the present petition is allowed and the order dated 15.07.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

30.08.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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|------------------------------|--------|
| 1. Whether speaking/reasoned | Yes/No |
| 2. Whether reportable | Yes/No |