



CRM-M-37236-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRM-M-37236-2024
Date of Decision : 03.12.2024

Baby Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON’BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ashok Kumar, Advocate for
Mr. Ravi Malhotra, Advocate
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Coordinate Bench of this Court, on dated 02.08.2024, had passed the hereinafter extracted order, upon the instant petition:-

“This petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.0093 dated 22.04.2023 under Section 420 of IPC and under Section 120-B of IPC added later on registered at Police Station City Rajpura, District Patiala.
Learned counsel for the petitioner inter-alia submits after inquiry, FIR was registered only against the husband of the petitioner and the petitioner was declared as innocent. Her husband is absconding. After 14 months of the registration of the case in order to put pressure upon the petitioner, supplementary statement was recorded and petitioner has been named as an accused in this case. The petitioner cannot be held liable for the alleged acts of her husband.
Notice of motion.



Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of respondent-State. She seeks some time to file status report. A copy of the paper book be supplied to her during the course of the day.

In the meantime, the petitioner is directed to join the investigation as and when called by SHO/Investigating Officer and in the event of her arrest, she shall be released on interim bail on her furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

(i) that the petitioner shall make herself available for interrogation before the investigating officer as and when required:

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

Adjourned to 03.12.2024.

Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite.”

2. In deference to the directions issued by coordinate Bench of this Court, by drawing an order dated 02.08.2024, status report dated 02.12.2024, by way of affidavit of Mr. Manjit Singh, PPS, Deputy Superintendent of Police, Circle Rajpura, District Patiala, on behalf of the respondent-State of Punjab, furnished by the learned State counsel today in the Court. The same is taken on the record.

3. Today, the learned State counsel on instructions imparted to him from the Investigating Officer concerned, stated that pursuant to the making of



the hereinabove extracted order, the petitioner(s) had joined investigation and she is no longer required for further custodial interrogation.

4. In view of the above, the hereinabove extracted interim order dated 02.08.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

5. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

(KULDEEP TIWARI)
JUDGE

December 03, 2024
Manpreet

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