

CRM-M-42527-2024

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2024-PHHC 127983



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

CRM-M-42527-2024
Date of decision: 26.09.2024

JAGINDER KAUR @ JOGINDER KAURPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Riffi Birla, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

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SANJIV BERRY, J. (ORAL)

Status report dated 25.09.2024 in the form of an affidavit of Deputy Superintendent of Police, Sub Division, Fazilka, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 BNSS, 2023, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
166	09.07.2019	353/186/332/333/ 148/149 IPC	Sadar Fazilka, District Fazilka

3. Learned counsel for the petitioner submits that in compliance to the order dated 06.09.2024, the petitioner has joined the investigation.



4. During the course of hearing on 06.09.2024, following order had been passed: -

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner, who is a lady aged about 76 years, has been falsely implicated in this case. He contends that no specific overt act has been attributed to the petitioner and she is not having any other criminal antecedents.

3. Notice of motion.

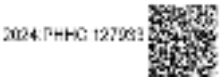
4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions from ASI Subhash Chander, P.S. Sadar, Fazilka, submits that the petitioner is named in the FIR. However, he admits that no specific injury is attributed to the petitioner. He prays for time to file the status report/reply in the matter.

5. Adjourned to 26.09.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS).”

5. Learned State counsel on instructions received from Investigating Officer of the case informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.



6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 06.09.2024 passed by this Court, interim bail granted vide order dated 06.09.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

26.09.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |