

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-49032-2023 (O&M)
Date of Decision: 21.03.2024

KULWINDER KAUR

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Vikas Gupta, Advocate for the petitioner.
Mr. Amandeep Singh Samra, AAG, Punjab.

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
93	10.12.2015	Police Station Chohla Sahib, District Tarn Taran	Sections 376-D & 109/12-B of IPC (added later on)

2. Vide order dated 18.01.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned counsel for the petitioner has placed on record a copy of the order dated 13.03.2024 showing that the present petitioner has appeared before for the learned Trial Court and has been granted interim bail. A perusal of the records reveals that she was named in the FIR but during the investigation, she had been found to be innocent and had not arrested and challaned. Her name was kept in column no.2 of the challan report and she was ordered to be summoned as an additional accused in

pursuance of order dated 01.12.2022 as passed by learned Trial Court in an application filed under Section 319 of Cr.PC. She has already appeared before the Trial Court. As she has been summoned in pursuance of allowing an application under Section 319 of Cr.PC, therefore, even her custodial interrogation is not required. No useful purpose would be served by detaining her in custody.

4. In view of the above said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 18.01.2024 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.

21.03.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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