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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52102-2023 (O&M)
Date of Decision: 23.01.2024

JYOTI BALA AND ANOTHER
Vs.
STATE OF PUNJAB AND ANOTHER

.. Petitioners
..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ritesh Pandey, Advocate for the petitioners.

Mr. Anup Singh, AAG, Punjab.

Mr. Aazam Khan, Advocate for respondent No.2.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in FIR No.59 dated 28.09.2023, under Sections 498-A, 323, 509 and 34 IPC, registered at Police Station Bhani Mian Khan, District Gurdaspur.

2. On 13.10.2023, the following order was passed:-

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.59 dated 28.09.2023 under Sections 498-A, 323, 509, 34 IPC registered at Police Station Bhani Mian Khan, District Gurdaspur.

Learned counsel for the petitioners states that the petitioners are sister-in-law and mother-in-law of the complainant and they have falsely been implicated in the case. The only allegation is qua the demand of motorcycle. It is further the contention that the injuries are all stated to be simple in nature.

Notice of motion.

Mr. Mohinder Singh Joshi, Addl. AG Punjab accepts notice on behalf of the respondent No.1-State of Punjab. Let notice be issued to respondent No.2 returnable 16.01.2024.

Meanwhile, the petitioners are directed to join investigation as and when called for. In the event of arrest, the petitioners shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the

terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned State counsel on instructions has stated that pursuant to the order dated 13.10.2023, the petitioners have joined investigation and are no longer required for custodial interrogation. Learned counsel for respondent No.2/complainant has stated that the parties have settled the matter and he does not oppose the plea for grant of anticipatory bail.
4. In view of above, the interim order dated 13.10.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5. This order should not be treated as “blanket” order. It will not be interpreted as granting petitioners 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. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioners violate any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
8. Pending application(s), if any, shall also stand disposed off.

23.01.2024

Jasmine Kaur

(SUMEET GOEL)

JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No