

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

211

2024:PHHC:019835

CRM-M-56644-2023

Date of decision: February 13th, 2024

Gurmeet Kaur

.....Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Lakhwinder Singh Lakhanpal, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

Mr. Shivdeep, Advocate
for Mr. Sandeep Majithia, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.302 dated 25.09.2023 under Sections 302/307 of the Indian Penal Code, 1860 and Sections 25/27 of Arms Act, 1959, registered at Police Station Division "B", District Police Commissionerate Amritsar.

2. Vide order dated 09.11.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

"While drawing the attention of this Court to the FIR in question, which has been annexed as Annexure P-1, learned counsel has submitted that the petitioner was not even named in the FIR in question. It has been submitted that a false and fabricated case has been planted upon the petitioner and that too on the basis of a supplementary statement suffered by

the complainant.”

3. Learned counsel for the petitioner submits that in compliance of order dated 09.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. On a pointed query put to the learned State counsel, he on instructions from ASI Narender Singh, has not disputed that the petitioner has clean antecedents and is not involved in any other criminal case.
5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for her custodial interrogation.
6. In view of the above, the petition is allowed and interim order dated 09.11.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

February 13th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No