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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58724-2023 (O&M)
Date of Decision: 01.03.2024

Satinder Kaur

.. Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sarbjit Singh Khaira, Advocate for the petitioner.
Mr. Anup Singh, AAG, Punjab.
...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.0293 dated 26.10.2023 under Sections 354, 354-A, 323, 324, 341, 506, 148, 149 and 326 of the Indian Penal Code, 1860 registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.
2. On 21.11.2023, 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.0293 dated 26.10.2023 under Sections 354, 354-A, 323, 324, 341, 506, 148, 149 and 326 of the Indian Penal Code, 1860 registered at Police Station Civil Lines Batala, Police District Batala.

Learned counsel for the petitioner would contend that FIR is the result of a property dispute between the parties. The learned counsel would further contend that the only role attributed to the present petitioner is that she kicked the complainant and beat her empty-handed. It is further contended that the grievous injury has not been attributed to the present petitioner.

Notice of motion.

Mr. Adhiraj Singh Thind, AAG Punjab accepts notice on behalf of respondent-State of Punjab.

List on 01.03.2024.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner 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 from ASI Jaspal Singh, has stated that pursuant to the order dated 21.11.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of above, the petition is allowed and interim order dated 21.11.2023 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 petitioner 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 petitioner violates 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.

01.03.2024

Jasmine Kaur

(SUMEET GOEL)

JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No