

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59315-2023
Date of Decision : 29.02.2024

Hardeep Kaur @ Jaggo

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. J.S. Moudgill, Advocate for the petitioner.
Mr. Adhiraj Singh Thind, AAG, Punjab.
Mr. J.S Bhinder, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.36 dated 17.05.2015, registered for the offences punishable under Sections 498-A IPC and 406 IPC, 1860, at Police Station Kot Dharmu, District Mansa.

On 06.02.2024, the following order was passed:-

“Apprehending her arrest in FIR No. 36 dated 17.05.2015 registered for offences punishable under Sections 498-A, 406 IPC at Police Station Kot Dharmi, District Mansa; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that a settlement has been arrived at between the petitioner and the complainant & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Mr. J.S. Bhinder, Advocate has appeared for the complainant. He has ratified the factum of compromise having been effected between the petitioner and the complainant.

Adjourned to 22.02.2024.

The petitioner is directed to appear before the Investigating Officer on 09.02.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. She shall abide the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

2. Learned State counsel on instructions from ASI Om Parkash has stated that pursuant to the order dated 06.02.2024 the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 06.02.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

4. This order should not be treated as “blanket” order. It will not be read 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.

5. 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.

6. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

February 29, 2024

poonam

(SUMEET GOEL)

JUDGE

Whether speaking/ reasoned :

Whether reportable

Yes/No

Yes/No

POONAM RATHORE
2024.02.29 17:29
I attest to the accuracy and
authenticity of this document
High Court Chandigarh