

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

102+217

2024:PHHC:015345

CRM-5377-2024 in/and

CRM-M-60288-2023

Date of decision: February 5th, 2024

Bhajan Kaur @ Bhajo

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-5377-2024

Prayer in this application is for placing on record
Annexures A/1 to A/4 and for exemption from filing the certified/typed
copy of the same.

Application is allowed subject to just exceptions.

Annexures A/1 to A/4 are taken on record.

Exemption, as prayed for, is granted.

CRM-M-60288-2023

Petitioner is seeking the concession of anticipatory bail
under Section 438 of the Cr.P.C. in case FIR No.233 dated 07.11.2023
under Sections 21, 27 and 29 of the NDPS Act, 1985, registered at
Police Station Bhikhi, District Mansa.

2. Vide order dated 01.12.2023, the petitioner had been
granted interim anticipatory bail with direction to join investigation and
the relevant part of the said order reads as under:-

“Learned counsel for the petitioner has argued that petitioner has been falsely implicated in the present case. It is further submitted that the police was harassing the petitioner and on that account, she had approached this Court by way of CRWP-8097-2023 seeking protection of her life and liberty and due to the said action of the petitioner, she has been nominated as an accused in the present case. It is submitted that as per prosecution version in the FIR, co-accused Sukhchain Singh @ Chain and Lovepreet Singh @ Gaggi were arrested at the spot along with 04 gm of heroin. It is further recorded in the FIR that the recovery was effected from one Anmol Singh @ Vicky, who has not been even arraigned as an accused in the FIR. The name of the petitioner surfaced in the disclosure statement of co-accused Lovepreet Singh @ Gaggi and Sukhchain Singh @ Chain. The present case is a planted one. The petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 01.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. 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.

5. In view of the above, the petition is allowed and interim order dated 01.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

February 5th, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No