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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-62063-2023 (O&M)
Date of Decision: 21.02.2024

Surinder Kaur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Dinesh Mahajan, 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.310 dated 15.11.2023, under Sections 498-A, 323, 325 read with Section 34 IPC registered at Police Station Civil Line Batala, Police District Batala.
2. On 11.12.2023, the following order was passed:-

“Present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in case FIR No. 310. dated 15.11.2023, registered under Section498-A, Indian Penal Code, 1860 at Police Station Civil Line Batala, Police District Batala (Annexure P-1).

Learned State counsel who has appeared on advance notice on behalf of the respondent-State, seeks time to file reply/status report.

Adjourned to 23.01.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when required. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3.

Learned State counsel, on instructions from ASI Harpal Singh, has stated that pursuant to the order dated 11.12.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
4.

In view of above, the petition is allowed and the interim order dated 11.12.2023 passed by this Court whereby petitioner has been granted pre-arrest bail shall be read in context of offences under Sections 323, 325 and 34 IPC also. The same 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.

21.02.2024

(SUMEET GOEL)

Jasmine Kaur

JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No