

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-62739-2023
Date of Decision : March 11, 2024

KIRAN -PETITIONER

V/S

STATE OF PUNJAB -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Shubham Goyal, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. At the very outset, the learned State counsel has, on instructions imparted to him by A.S.I. Karnail Singh, informed this Court that, during the course of investigation, offence under Section 458 of the IPC has been incorporated in the FIR No.110 dated 23.09.2023, registered at P.S. Bhogpur, District Jalandhar Rural.
2. Faced with the above difficulty, the learned counsel for the petitioner has made an oral request for addition of offence under Section 458 of the IPC in the head-note, and, prayer clause of the instant petition.
3. Request allowed. The Registry of this Court is directed to carry out the requisition correction(s), by inserting offence under Section 458 of the IPC in the head-note, and, prayer clause of the instant petition.
4. On 14.12.2023, a Co-ordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Instant petition has been filed under Section 438, Cr.P.C.,

for grant of anticipatory bail in:-

FIR No.	Dated	Police Station	Section(s)
110	23.09.2023	Bhogpur, District Jalandhar Rural.	452, 323, 324, 427, 148 and 149, IPC.

Counsel for the petitioner submits that the allegation against the petitioner is of inflicting injury with a blade on the left arm of the complainant’s sister-in-law, Neetu. He submits that the injury attributed to the petitioner, who is a young lady, is simple, and she is prepared to join the investigation.

Notice of motion.

On asking of the Court, Mr. A.P.S.Tung, DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 11.03.2024.

Petitioner is directed to appear before the Investigating Officer on 28.12.2023 at 10.00 A.M. at Police Station Bhogpur, District Jalandhar Rural, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, she shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. She shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

5. Today, the learned State counsel, on instructions imparted to him by the official concerned, has stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and she is no longer required for custodial interrogation.
6. In view of the above, the hereinabove extracted interim order dated 14.12.2023, as made by a Co-ordinate Bench of this Court, is made hereby absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
7. 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.

8. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

March 11, 2024
devinder

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No