

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

**CRM-M-64560-2023 (O&M)
Date of decision : 22.02.2024**

Palak Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Atul Kumar, Advocate for
Mr. G.P.S.Ghuman, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.120 dated 11.07.2023, under Sections 323, 342, 427, 380, 454, 506 read with Section 149 of the Indian Penal Code, 1860, registered at Police Station Moti Nagar, District Ludhiana.

(2) Above FIR was registered on the basis of complaint made by Baljit Kaur with the allegations that petitioner, along with co-accused, entered into her house and caused injuries to the complainant party. Also

alleged that accused have stolen mobile phones and other articles along with Rs.97,000/-.

(3) This Court, while issuing notice of motion on 21.12.2023, granted interim bail to petitioner and the order reads as under:-

“Contends inter alia that it is a landlord-tenant dispute which has been given the colour of criminal proceedings.

Notice of motion for 22.02.2024.

Mr. C.L. Pawar, Addl.A.G., Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel, on instructions from ASI Ajmer, acknowledged that aforesaid petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 21.12.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) It is clarified that in case there is recurrence on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.
- (10) Disposed off accordingly.
- (11) Pending application(s), if any, shall also stand disposed off.

22nd February, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No