

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-64847-2023

Date of decision: 18.04.2024

SIMRAN KAUR

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On 22.12.2023, the following order was passed:-

"Through the instant petition filed under Section 438 Cr.P.C., prayer is made for grant of anticipatory bail to the petitioners in case FIR No.165 dated 18.11.2023, under Sections 323, 324, 148 & 149 of IPC (Section 326 IPC added lateron) registered at Police Station Kot Ise Khan, District Moga.

Learned counsel for the petitioner submits that the instant occurrence as alleged in the FIR is of 12.11.2023, whereas the FIR has been registered on 18.11.2023.

He further submits that there is nothing on record to suggest that the injured was unfit to make statement, which clearly reveals that the instant FIR has been registered after due deliberation and concoction.

He next submits that the injured is a serving police official, therefore, he is well aware about the procedures in criminal law, where the promptness is required to register an FIR so that the probity valued of the allegations levelled in the FIR may not be

effected. However, the complainant failed get his statement recorded promptly, which clearly reveals that it is a case of fabrication and concoction.

Notice of motion.

Mr. Karunesh Kaushal, AAG, Punjab, accepts notice on behalf of respondent-State and waives service.

Adjourned to 29.02.2024.

Meanwhile, the petitioner is directed to join the investigation and on her doing so, the petitioner be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

2. Learned counsel for the petitioner submits that in pursuance of the order dated 22.12.2023, the petitioner had joined the investigation.
3. Learned State counsel, on instructions from ASI Jagwinder Singh, submits that the petitioner had joined the investigation and she is not required for any further custodial interrogation.
4. In view of the statement made by learned State counsel, the interim order dated 22.12.2023, is hereby made absolute.

18.04.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No