

Date of Decision: 27.05.2025

V/S

...Respondent

Learned counsel for the petitioner, inter alia, contends that petitioner is a household lady and it is not plausible that she will overpower the police officials. The petitioner has no connection with the accused in another FIR No.22 dated 07.03.2025 registered under Sections 115(2), 118(1), 126(2), 351(2), 190 & 191 of BNS, at Police Station Sandaur. Further, the maximum sentence provided for the offences, under which the FIR

*(supra) is registered, is punishable upto 05 years and no notice under Section 35(3) of BNSS [erstwhile Section 41-A of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')] has been served upon the petitioner. Moreover, similarly situated co-accused, namely Sadhra Begum @ Bheelo has been granted the concession of anticipatory bail by this Court vide order dated 06.05.2023 in case bearing **CRM-M No.24498 of 2025 (O & M)** tilted as **Sadhra Begum @ Bheelo vs. State of Punjab** (Annexure P-3).*

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, accepts notice on behalf of respondent No.1-State and waives service.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer.*

Adjourned to 27.05.2025.

In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of Cr.P.C.).

If the Arresting Officer does not permit the petitioner to join the investigation, she would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

3. Learned State counsel on instructions from ASI Jagar Singh, submits that in compliance of order dated 08.05.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 08.05.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C./Section 482(2) of BNSS, 2023.

5. The petition is accordingly disposed of.

27.05.2025
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(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>