

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-21 of 2015

.....

Date of decision:23.1.2015

Kawaljit Kaur

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Anand Chhibbar, Senior Advocate with Mr. Vaibhav Sahni, Advocate for the petitioner.

Mr. Varun Sharma, Assistant Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.197 dated 29.11.2014 registered for the offences under Sections 420 and 506 IPC at Police Station City Gurdaspur, District Gurdaspur.

Notice of motion has been issued in this case.

Mr. Varun Sharma, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned senior counsel for the petitioner and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that in this case the petitioner has

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already joined the investigation. Learned State counsel contended that money is still to be recovered.

As argued, in the first inquiry conducted by the Police, the petitioner was found innocent. There is also discrepancy whether ₹2 Lacs were given or whether ₹2.50 Lacs have been given as two statements have been made by alleging that ₹2 Lacs have been given to the petitioner as stated on 29.12.2012 and then the statement was given that ₹2.50 Lacs have been paid.

Without discussing the facts in minute detail and without expressing any opinion on the merits of the report of the case, I find that the petitioner is not required for custodial interrogation. No purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; I find merit in this petition and the same is allowed. The interim order dated 2.1.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

January 23, 2015.

(Inderjit Singh)
Judge

hsp