

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

CRM No.M-37516 of 2015

Date of decision: 03.11.2015

Kanwaljit Kaur

...Petitioner

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner

Jitendra Chauhan, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure (for short the Cr.P.C.) for issuance of directions to respondent No.2 to initiate appropriate proceedings against respondent Nos.3 and 4 for illegally arresting the petitioner and her sister by wrongly adding some offences despite the grant of anticipatory bail to the petitioner by the learned Additional Sessions Judge, Gurdaspur vide order dated 21.10.2014 and to look into the representation dated 17.09.2015 of the petitioner.

The learned counsel for the petitioner contends that earlier the FIR No.86 was registered under Section 420 IPC, however, subsequently without their being any material on record Sections 467, 468, 471 IPC were wrongly added in the FIR. He further refers to Annexure P-3, whereby the

petitioner was admitted to bail and states that the petitioner cannot be arrested without the permission of the Court. He cites **Manjit Kaur Vs. State of Punjab**, 2013 (4) RCR (Criminal) 250, **Moti Lal and ors. Vs. State of Rajasthan**, 1987(1) Rajasthan LR 828, **Gheesa and ors. Vs. State of Rajasthan**, 1988 CrI. LR 650 and **Jagbir Singh Vs. State and another**, 2001(2) RCR (Criminal) 289. For redressal of his grievance, the petitioner has also moved a representation dated 17.09.2015 (Annexure P-5).

Without adverting to the merits of the case, this petition is disposed of with a direction to the competent authority to look into the representation (Annexure P-5) and take a decision, whether the same is covered by the ratio of law laid down in **Manjit Kaur Vs. State of Punjab**, 2013 (4) RCR (Criminal) 250, **Moti Lal and ors. Vs. State of Rajasthan**, 1987(1) Rajasthan LR 828, **Gheesa and ors. Vs. State of Rajasthan**, 1988 CrI. LR 650 and **Jagbir Singh Vs. State and another**, 2001(2) RCR (Criminal) 289 as asserted by the learned counsel for the petitioner. The decision upon the representation (Annexure P-5) be taken within four weeks from the receipt of certified copy of this order.

(JITENDRA CHAUHAN)
JUDGE

03.11.2015
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