

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

CRM-M No. 38750 of 2015 (O&M)
Date of decision: 24.12.2015

Jiwan Kumari @ Daljit Kaur Dadwal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Liaqat Ali, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Inder Singh.

Jitendra Chauhan, J. (Oral)

CRM-41819-2015

Application allowed. Documents Annexure P-5, taken
on record.

Main Case

By filing the present petition under Section 438 of the
Code of Criminal Procedure, the petitioner has sought anticipatory
bail in case FIR No.87, dated 01.09.2015, registered under Sections
494, 406, 420, 380, 497, 498, 506 and 120-B of the Indian Penal
Code (for short 'IPC'), at Police Station Satnampura, District
Kapurthala.

The learned counsel for the petitioner contends that in

pursuance of the order dated 26.11.2015, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation, however, recovery of gold ornaments is yet to be effected.

The precise allegation against the petitioner is that she being the wife misappropriated the ornaments gifted by the complainant. The petitioner sold the plot purchased out of the funds given to her by the complainant and the petitioner did not disclose the proof of entrustment of the ornaments. The petitioner is residing in the same house. The petitioner being the owner of the plot has sold out the plot. There is no proof on record to show that the plot was purchased from the funds given by the complainant. This was the second marriage of the petitioner in which the husband had also participated in the marriage, therefore, the allegations are nothing but with a view to harass the petitioner.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 11.12.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

24.12.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE