

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-39732 of 2014
Date of Decision:- 07.01.2015

Baldish Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

**Present: Mr. B.S. Bali, Advocate,
for the petitioner.**

**Mr. J.S. Sekhon, Assistant Advocate General, Punjab,
for the State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of anticipatory bail, in a case registered against her along with her other co-accused, vide FIR No.7 dated 15.07.2013, on accusation of having committed the offences punishable under Sections 409, 467, 468 and 471 IPC, R/W13(1)(D) & 13(2) of The Prevention of Corruption Act, by the police of Police Station Vigilance Bureau, District Jalandhar.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on November 25, 2014: -

“Learned counsel, inter alia, contended that the petitioner is not, in any way, connected with the payment of old age pension to the dead persons. The argument is that all the main allegations of withdrawal and distribution of amount of old age pension to the dead persons are assigned to main accused Sarpanch Gurminder Singh, who was arrested and interrogated by the police. He just obtained the signatures of the petitioner as a member panchayat of the village in a routine manner. Even, she was not aware about the illegal distribution of old age pension by main accused Sarpanch Gurminder Singh and subsequently she has been falsely implicated in this case by the police in order to put pressure and to wreak vengeance. Moreover, the controversy involved in the instant petition is stated to be identical to the one raised and decided, by virtue of order dated 01.08.2014 in CRM-M No.15763 of 2014, by this Court.

Heard.

Notice of motion be issued to the respondent, returnable for 05.12.2014.

Meanwhile, the petitioner is directed to join the investigation before the next date of hearing. In the event of her arrest, the Arresting Officer would admit her to bail on her furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- to his satisfaction.”

5. At the very outset, on instructions from Inspector Bhagwant Singh, learned State Counsel has acknowledged the relevant factual matrix and submitted that the petitioner has already joined the investigation. She is no longer required for further interrogation, at this stage. There is no history of her previous involvement in any other criminal case. Even, since the prosecution has not yet submitted the final police report (challan) against the accused, so, the final conclusion of trial will naturally take a long time.

6. Not only that, Kamaljit Kaur and Paramjit Kaur, similarly situated co-accused of the petitioner, were granted the concession of

anticipatory bail, by way of order dated 01.08.2014, rendered in CRM No.M-15763 of 2014 by this Court. Therefore, in that eventuality, I see no reason not to extend the same benefit of pre-arrest bail to the present petitioner as well under the similar set of circumstances.

7. In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial, the instant petition for anticipatory bail is accepted. The interim bail already granted to the petitioner, by virtue of indicated order of this Court, is hereby made absolute, subject to the compliance of the conditions, as contemplated under Section 438(2) Cr.P.C.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits of the case, as the same has been so recorded for a limited purpose of deciding the present petition for anticipatory bail. At the same time, in case, the petitioner does not cooperate or join the investigation, the prosecution would be at liberty to move a petition for cancellation of her bail, in this Court.

January 07, 2015
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(MEHINDER SINGH SULLAR)
JUDGE