

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

1. CRM-M- 9559 of 2015

Kamalpreet Kaur

....Petitioner

Versus

State of Punjab

....Respondent

AND

2. CRM-M- 16224 of 2015

Gaganpreet Singh

....Petitioner

Versus

State of Punjab

....Respondent

Date of Order: 18.12.2015

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. H.S. Oberoi, Advocate for the petitioner (s).
Ms. Amarjit Kaur Khurana, Addl.A.G, Punjab.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

AJAY TEWARI, J (ORAL)

This order shall dispose of two petitions bearing CRM-M-9559 of 2015 and CRM-M-16224 of 2015.

Petitioners, who are husband and wife, have preferred the aforesaid two petitions seeking pre-arrest bail in case FIR No.330 dated 08.10.2014 under Sections 420/120-B IPC, P.S Tripuri, Patiala.

Allegations against the petitioners are that they created fictitious documents to get the loan from the Bank.

Learned counsel for the petitioners has argued that if the petitioners wanted to defraud the Bank, they would not have kept the

mother as a guarantor.

On the other hand, learned state counsel has argued that in the year 2011, the petitioners came to know that the property, which they had purchased was a dud but they made no complaint to anybody and this shows that the petitioners are guilty.

In my opinion, no conclusion can be drawn to either of the sides at this stage. However, inaction of the petitioners raises serious questions.

Learned counsel for the petitioners then argued that as regard the petitioner-Kamalpreet Kaur (wife) in CRM-M-9559 of 2015, there are no allegations and that she is housewife with two small children. It is submitted that the petitioner-Gaganpreet Singh (husband) shall surrender but bail may be granted to the petitioner-wife.

Learned state counsel has accepted these factual assertions.

In these circumstances, it is directed that in case the petitioner's husband/Gaganpreet Singh surrenders along with his wife before the Investigating Officer on or before 22.12.2015, petitioner-Kamalpreet Kaur (wife) in CRM-M-9559 of 2015 will be released on anticipatory bail to the satisfaction of the Investigating Officer to his satisfaction. However, she shall join the investigation further as and when called upon to do so and abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Both the petition stand disposed of.

December 18, 2015
manoj

(AJAY TEWARI)
JUDGE