

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

CRM-M-10521-2016 (O&M)

Date of decision : 07.11.2016

Urmil Bhasin and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Bedi, Advocate,
for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by HC Harprit Singh.

Mr. Sandeep Wadhawan, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail under Section 438 of the Code of Criminal Procedure, in FIR No.460 dated 26.12.2015, registered under Sections 420 and 120-B of the Indian Penal Code, at P.S. Civil Lines Amritsar.

Contents that petitioner No.2 was in relationship with the complainant. The allegation that the amount was paid to the petitioners towards agreement to sell, is against the record. There is no such agreement to sell on record. The amount was paid towards the maintenance of petitioner No.2 and her mother, petitioner No.1, for the services rendered by them. The petitioners have repeatedly joined the investigation.

On the other hand, learned State counsel has opposed the instant petition. On instructions, she states that though, the petitioners have

joined the investigation, but they are not cooperating. The recovery of the amount is yet to be effected.

Learned counsel for the complainant states that the petitioners are proclaimed offenders in FIR No.1293 dated 10.10.2013, registered under Sections 420, 467, 468, 471, 474, 406, 506 and 504 IPC, at P.S. Loni, Distt. Ghaziabad (U.P.).

Heard.

There is no order of proclamation on record. Learned counsel for the petitioners clarifies that the order pertains to the matrimonial dispute of son of petitioner No.1 and brother of petitioner No.2, in an FIR lodged by his estranged wife. The petitioner has repeatedly joined the investigation. There are multiple entries of small amounts. There is no agreement to sell on record. Accordingly, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 05.05,2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

07.11.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No