

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

**CRL. MISC. No.M-11722 OF 2016 (O&M)
DATE OF DECISION : 28th SEPTEMBER, 2016**

Sukhwinder Kaur

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. H.P. S. Ghuman, Advocate for the petitioner.
 Ms. Rajni Gupta, Addl. A.G. Punjab.
 Mr. Avtar Singh Syan, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.50 dated 11.03.2016 registered under Section 420 IPC at Police Station Civil Lines Patiala, District Patiala.

Mr. H. P. S. Ghuman, Advocate has filed power of attorney on behalf of the petitioner.

Heard learned counsel for the rival parties.

The petitioner was granted interim bail by this Court vide order dated 05.04.2016. On the last date of hearing i.e. 20.09.2016 this Court had granted last opportunity to counsel for the petitioner to take instructions regarding repayment of the entire amount.

Upon hearing learned counsel for the rival parties it is clear that the petitioner-Sukhwinder Kaur is the only person in whose name the sale deed was registered by the complainant as per the direction of husband of the petitioner.

Learned counsel for the complainant has vehemently opposed the bail petition on the ground that only the petitioner, being direct beneficiary, is responsible and is not entitled to grant of anticipatory bail.

Learned counsel for the petitioner, however, submits that the transaction was done by the husband of the petitioner and it was the husband of the petitioner who was responsible for the entire transaction. Learned counsel for the petitioner further states that nevertheless there was a case of cheating against the husband of the petitioner and he was arrested and is now on regular bail.

In view of the facts and circumstances narrated above, the petitioner is entitled to grant of anticipatory bail. Hence, interim order dated 05.04.2016 is made absolute.

Disposed of accordingly.

28th SEPTEMBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

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