

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-23792 of 2016

.....

Date of decision:8.12.2016

Harleen Kaur

.....Petitioners

v.

State of Punjab

.....Respondent

....

(2) Criminal Misc. No.M-28259 of 2016

.....

Kanwar Raj Singh

.....Petitioners

v.

State of Punjab

.....Respondent

....

Present: Mr. Bikram Singh, Advocate for the petitioners.

Mr. P.S. Grewal, Deputy Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

This order will dispose of the above mentioned two petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.34 dated 16.2.2016 registered for the offences under Sections 420, 467, 468 and 471 IPC at Police Station Dakha, District Ludhiana.

Notice of motion has been issued in these cases.

Mr. P.S. Grewal, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this

petition.

I have heard learned counsel for the petitioners and learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that a perusal of the FIR shows that Harleen Kaur-petitioner is not named in the FIR. In the FIR, it has been stated that earlier the complainant filed the complaint regarding cheating of ₹8 Lakhs on 4.9.2013. It is also in the FIR that a compromise has been effected. It is allegation that Kanwar Raj Singh did not make payment in compliance to the compromise. There is allegation in the FIR that Kanwar Raj Singh got recorded his statement on 24.9.2014 which clarifies that it has been prepared by the accused. It is in the FIR that the documents have not been taken into consideration.

The petitioners have already joined the investigation. The case is based on documentary evidence. They are not required for any custodial interrogation. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in these petitions and the same are allowed. The interim orders dated 27.7.2016 and 17.7.2016 passed in Criminal Misc. No.M-23792 of 2016 and Cr. Misc. No.M-28259 of 2016 respectively by this Court granting interim bail to the petitioners are made absolute. However, the petitioners shall join the investigation as and when

called upon to do so and shall abide by the conditions of Section 438
(2) Cr.P.C.

December 8, 2016. **(Inderjit Singh)**
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No