

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

**CRM NO. M-28447 OF 2016
DECIDED ON : 30.09.2016**

Jasbir Kaur

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. P. S. Sekhon Advocate,
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

JASPAL SINGH, J. (ORAL)

Instant petition has been preferred under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No.147 dated 14.07.2016 under Sections 307/435/341/323/336/506/427/148/149 IPC registered at Police Station City Sadar Dhuri, District Sangrur.

During the pendency of this petition, on 17.08.2016, following order was passed by this Court, which reads as under :-

" Perusal of the FIR clearly shows that the husband of petitioner Jasbir Kaur, i.e. Jagjit Singh who is stated to have still not been arrested, had set on fire the motorcycle as well as the tractor belonging to the complainant. The petitioner is the wife of the main accused Jagjit Singh. Learned counsel for the petitioner states that approximately loss of ₹2.00 lac might have been caused to the complainant.

Notice of motion to the respondent for 30.09.2016.

In the meanwhile, subject to the deposit of ₹2.00 lacs in the trial court by the petitioner within a period of two weeks from today, in the event of arrest, petitioner shall be released on ad-interim anticipatory bail in FIR No.147 dated 14.07.2016, registered under Sections 307, 435, 341, 323, 336, 506, 427, 148, 149 of the Indian Penal code, 1860, at Police Station Sadar Dhuri, District Sangrur, on furnishing of his bail bond amounting to ₹10,000/- with one surety of like amount.

If the petitioner does not deposit ₹2.00 lacs in the trial Court and produce the receipt on the adjourned date, the police shall be at liberty to arrest the petitioner."

Learned State counsel, on instructions from ASI Sarabjit Singh at the very outset submits that though the petitioner has joined the investigation but she has not complied with the condition imposed at the time of granting interim bail as a sum of ₹2.00 lacs has not been deposited before the trial Court.

Taking into consideration the aforesaid aspect of the case, the petitioner is not entitled to the discretionary relief envisaged under Section 438 Cr.P.C. Consequently, the petition is dismissed.

(JASPAL SINGH)
JUDGE

SEPTEMBER 30, 2016
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Whether Speaking/Reasoned
Whether Reportable

Yes/No
Yes/No