

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-31466 of 2015 (O&M)
Date of Decision: 07.01.2016

Rajwinder Kaur

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rajeshwar Singh, Advocate for the petitioner.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.77 dated 6.9.2015 under sections 406, 420 I.P.C, registered at Police Station, Haryana, District Hoshiarpur.

While issuing notice of motion, the following order was passed by this Court on 16.9.2015:-

“It is inter alia argued that the petitioner Rajwinder Kaur is the wife of traveling agent accused- Parmodh Kumar and that the bare perusal of the FIR do not contain allegations against her.

Notice of motion 16.11.2015.

Meanwhile, in the event of arrest, the petitioner be admitted to interim bail on her furnishing bail bonds to the satisfaction of arresting/Investigating Officer; that she will join trial Court investigation and will abide by conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Gurkirpal Singh would apprise the Court that the petitioner has since joined investigation. Even the observations contained in the notice of motion order have gone uncontroverted.

It is also the conceded position of fact that the main accused namely Parmodh Kumar i.e. husband of the petitioner was arrested and thereafter has been granted benefit of regular bail.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 16.9.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

07.01.2016
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