

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

CRM No.M-38284 of 2016 (O&M)

Date of decision: December 9, 2016

Dupinder Kaur and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Naveen Bawa, Advocate
for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. Naresh Devgan Sharma, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioners-Dupinder Kaur and Gursharan Kaur alias Gursharan Jeet have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.138 dated 29.09.2016, registered at Police Station Jamalpur, District Ludhiana, under Section 420 and 120-B of Indian Penal Code.

Notice of motion was issued in this case.

Ms. Bhavna Gupta, DAG, Punjab has put in appearance on behalf of the respondent-State and Mr. Naresh Devgan Sharma, Advocate has appeared and filed vakalatnama on behalf of the complainant and contested this petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

From the record, I find that as per allegations, the present petitioners have purchased the property during the pendency of civil proceedings. The petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. Moreover, the case is based on documentary evidence. Thus, no useful purpose would be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 24.10.2016, granting interim bail to the petitioners, is 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 9, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No