

Sr. No. 209

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

**CRM No. M-37602 of 2015 (O&M)
Date of Decision: 03.03.2016**

Gurmail Kaur and another

...Petitioners

Versus

State of Punjab

... Respondent

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

Present:- Mr. Amardeep Singh Mann, Advocate,
for the petitioners.

Mr. K.D.Sachdeva, Additional A.G.Punjab.

Mr. S.S.Salar, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioners in case FIR No.78 dated 01.10.2015 under Sections 420 and 120-B of Indian Penal Code (for short 'IPC'), registered at Police Station City Budhlada, District Mansa.

While issuing notice of motion, the following order was passed by this Court on 03.11.2015:-

“Learned counsel for the petitioners contends that, in fact, the allegations are against the husbands and the petitioners are their wives. He further contends that the petitioners are being involved in the case so as to enlarge the scope of criminality.

Notice of motion for 25.1.2016.

In the meantime, in the event of arrest of the petitioners, they shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioners shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Kulwant Singh would apprise the Court that petitioners have since joined investigation.

That apart perusal of the FIR would reveal that the allegations with regard to misappropriation of money on the pretext of sending the complainant abroad are primarily targeted against Ranjit Singh who has since surrendered and presently is in custody.

Under such circumstances, custodial interrogation of the present petitioners would not be warranted.

Present petition is allowed. Order dated 03.11.2015, passed by this Court, is made absolute.

Disposed of.

03.03.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**