

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-39051 of 2016
Date of decision : December 16, 2016

Kuldeep Kaur

....Petitioner

versus

State of Punjab

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr.NS Bhullar, Advocate, for the petitioner
Mr. P.S.Paul, DAG, Punjab, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Kuldeep Kaur in this bail under section 438 Cr.P.C. are that on 13.5.2016 she got arranged a marriage between complainant Jagdev Singh with Charanjit Kaur alias Manjit Kaur. The only role attributed to the petitioner is that she charged Rs 40,000/- from the parties to arrange this marriage when it transpired that the principal accused-wife of the complainant was already married.

The contention of the petitioner is that similarly placed accused including the principal accused-wife has already been allowed regular bail by the trial court and that there is no substantial evidence against the petitioner for the commission of offence and the allegations are oral in nature though State counsel has sought to oppose the grant of bail. However, having regard to the fact that nothing is to be recovered from the petitioner at this juncture which is conceded by learned State counsel and that the culpability if any shall be determined at the time of trial and being

lady, impels this Court to grant the relief of anticipatory bail.

In view of the aforesaid, the present petition is allowed. In the event of arrest, the petitioner shall be released on bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

December 16, 2016

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No