

Sr. No. 233

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-41034 of 2015
Date of Decision: 09.02.2016

Gurwinder Kaur @ Gurvinder Kaur

...Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

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 petitioner in case FIR No.93 dated 27.09.2013 under Section 409 of Indian Penal Code (for short 'IPC'), registered at Police Station Bajakhana, District Faridkot.

While issuing notice of motion, the following order was passed by this Court on 04.12.2015:

“Learned counsel for the petitioner submits that the alleged amount along with interest i.e., Rs. 36,502/- has been deposited with Superintendent, Post Office, Faridkot and the petitioner has also been removed from service. All the documents are in the custody of the department or with the Police authorities. Nothing is to be recovered from the petitioner and she is ready to

join investigation.

Notice of motion for 09.02.2016.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, she shall be released on interim bail to the satisfaction of the Investigating Officer. She shall join the investigation as and when required by the Investigating Officer. She shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioner shall make herself available for interrogation before investigating officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;*
- (iii) that the petitioner shall not leave India without the prior permission of the Court.”*

Learned State counsel upon instructions from ASI Balwinder Singh would apprise the Court that petitioner has since joined investigation.

That apart the observations contained in the notice of motion order have gone unrebutted. Present petition is allowed. Order dated 04.12.2015, passed by this Court, is made absolute.

Disposed of.

09.02.2016

**(TEJINDER SINGH DHINDSA)
JUDGE**