

Sr. No. 204

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-43955 of 2015 (O&M)
Date of Decision: 17.02.2016

Bhajan Kaur

...Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Ghulam Nabi Malik, Advocate,
for the petitioner.

Mr. D.S.Virk, 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 anticipatory bail to the petitioner in case FIR No.330 dated 08.10.2014 under Sections 420, 467, 468, 471,120-B of Indian Penal Code, registered at Police Station Tripuri Town, Patiala, District Patiala.

On 07.01.2016, while issuing notice of motion, the following order was passed by this Court:-

"It has been contended that Kamalpreet Kaur, co-accused and who is construed as a beneficiary in the matter has been granted interim protection as regards arrest by this Court in terms of order dated 18.12.2015 passed in CRM-M-9559 of 2015.

List on 17.02.2016.

In the meanwhile, petitioner is directed to join investigation and to appear before Investigating Officer

on 18.01.2016.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and she shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel would apprise the Court that the petitioner has since joined investigation.

It may be duly noticed that the allegations are primarily against Gaganpreet Singh as regards having fraudulently availed of a housing loan from Punjab and Sind Bank on the basis of certain fake and forged documents. The present petitioner was not even named in the FIR. She was, however, nominated as an accused during the course of investigation on the accusation that a fake power of attorney from one Veer Kaur in favour of Rajinder Singh qua the property involved in the case had been furnished by main accused Gaganpreet Singh in which the present petitioner had impersonated for Veer Kaur.

It has gone uncontroverted that the present petitioner otherwise was not a beneficiary pertaining to the transaction. Main accused Gaganpreet Singh has since been arrested. Co-accused Kamalpreet Kaur i.e. wife of Gaganpreet Singh has been granted concession of anticipatory bail by this Court.

In view of the circumstances noticed here-in-above and coupled with the fact that the petitioner has already joined investigation, prayer made in the present petition is accepted.

Present petition is disposed of in terms of making the order dated 07.01.2016, passed by this Court as absolute.

17.02.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**