

CRM-M-8790-2016

Date of Decision : 17.05.2016

Harjinder Kaur

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Bikramjit Arora, Advocate
for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

Mr. P.S. Hundal, Sr. Advocate with
Mr. Dinesh Trehan, Advocate
for the complainant.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner is 72 years old lady. She apprehends arrest in a case registered at the instance of her grand son Karanbir Singh alleging that the petitioner on the basis of wrong affidavit submitted before the bank, has withdrawn the money after the death of her husband, Gurcharan Singh, claiming that she had only one son and two daughters whereas she had two other pre-deceased sons as well.

Counsel for the petitioner has submitted that the total amount withdrawn from the bank comes to Rs.82,000/- even if it is presumed that the complainant is entitled to some share, the said share would come to a sum between Rs.10,000 to Rs.15,000/- as one of the heirs of Gurcharan Singh.

Counsel for the complainant has intervened to oppose the application for pre arrest bail contending that the petitioner has got an oblique motive to deprive the complainant and other heirs not only from

the inheritance in the movable property in the bank but the other properties also left by Gurcharan Singh.

Without expression of any opinion regarding the apprehensions of the complainant or the intentions of the petitioner, the petitioner can be granted the concession of pre arrest bail on account of her old age and her offer of sum of Rs.14,000/- towards the share of the complainant. A bank draft for the aforesaid amount has been handed over to Mr. Dinesh Trehan, counsel for the complainant under protest without prejudice to other legal rights of the complainant.

The petition is allowed. It is ordered that in case of arrest of petitioner, she will be released on bail to the satisfaction of the arresting officer subject to the condition that she will join investigation as and when required and will not tamper with the evidence or hamper the proceedings in any manner.

(M.M.S. BEDI)
JUDGE

17.05.2016
Neha