

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-9244 of 2016 (O&M)

Date of Decision: July 21, 2016

Premwati

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rakesh Kumar Sharma, Advocate
for the petitioner.

Mr.Vikramjit Singh, Addl. Advocate General, Haryana
for the respondent-State.

Ms.Monisha Lamba, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.275 dated 19.04.2015 under Sections 420, 467, 468, 471, 406 and 120-B IPC, registered at Police Station Camp Palwal.

Notice of motion was issued and learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the main accused Vinod Kumar husband of Premwati has already been arrested. The perusal of the FIR also

shows that the main allegations are against Vinod Kumar. It is in the FIR that complainant kept his files on the seat of Sh.Dalal Singh, Advocate and he went in the Court premises to attend a date. Then Vinod Kumar without telling anybody, took the files in which the complainant had kept all the agreements and necessary documents. There is also allegation that the accused persons in collusion with each other, fraudulently wrote agreement of cancellation on the back of the agreement by mentioning therein that they have paid ₹11 lacs to the complainant and by forging the signatures, produced the same in the Court. Thereafter, complainant came to know that Vinod Kumar has stolen his documents and nothing has been paid to him and accused committed forgery by preparing cancellation of agreement of ₹11 lacs.

In view of the above discussion, it is clear that the main allegations are against Vinod Kumar, who has already been arrested. The present petitioner Premwati, who is wife of Vinod Kumar, has already joined the investigation. She is no more required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is accepted and the order dated 07.04.2016 granting interim bail to the petitioner is made absolute.

July 21, 2016

Vgulati

(INDERJIT SINGH)
JUDGE