

CRM-M-3094-2017

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of Decision: 30.03.2017

Balwant Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. L.S.Sidhu, Advocate,
for the petitioner.

Mr. V.P.S.Sidhu, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Balwant Kaur has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.91 dated 15.12.2016, registered at Police Station City-2 Mansa, District Mansa, under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this 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 in the present case, an application was filed by complainants namely Lal Singh, Jugraj Singh and Bhola Singh against Jaswant Singh. It is stated in the application

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that their nephew-Harbans Singh is of unsound mind and is differently-abled. His brother-Jaswant Singh had got executed a general power of attorney from Harbans Singh in his favour by way of fraud and thereafter executed a sale deed in favour of the present petitioner-Balwant Kaur in respect of land measuring 15 kanals and 14½ marlas. The petitioner is a beneficiary in the sale deed.

In pursuance of the interim order dated 01.02.2017, the petitioner has already joined the investigation. She is now not required for custodial interrogation. Moreover, the case is based on documentary evidence. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 01.02.2017, passed by this Court, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

30.03.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No