

CRM-M-36509-2017

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

CRM-M-36509-2017

Date of Decision: 08.11.2017

Sarabjit Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. O.P.Kamboj, Advocate,
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

Ms. Kuldeep Kaur, Advocate for
Mr. Amit Arora, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Sarabjit Kaur has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.154 dated 14.07.2017, registered at Police Station City Tarn Taran, under Section 420 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 complainant has also appeared through his counsel. They contested this petition.

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

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From the record, I find that as per the allegations, the petitioner executed an agreement to sell with the complainant and received ₹10,10,000/- as earnest money out of total sale consideration of ₹17,00,000/-. No specific amount has been mentioned in the FIR qua the loan. The case is based on the documentary evidence.

In pursuance of the interim order dated 28.09.2017 passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. Therefore, no useful purpose will be served by sending her 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 order dated 28.09.2017, 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.

08.11.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No