

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-38679 of 2016 (O&M)
Date of Decision: 14.02.2017

Baljeet Kaur

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. N.K. Vadehra, Advocate for the petitioner.

Mr. P.S. Grewal, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.104 dated 24.06.2015 under sections 406, 420 I.P.C, registered at Police Station, Dehlon, District Ludhiana.

On 27.10.2016, while issuing notice of motion, the following order was passed by this Court:-

“Learned counsel for the petitioner states that neither the vehicle in question nor the petitioner is involved in the case.

Notice of motion for 18.1.2017.

In the meantime, in the event of arrest of the petitioner, she shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Mohd. Rashid would apprise the Court that the petitioner has since joined investigation.

That apart counsel for the petitioner has even adverted to order dated 21.08.2015 (Annexure P-5), passed by the learned Additional Sessions Judge, Ludhiana and in terms of which the main accused Jaswinder Singh has been granted concession of pre-arrest bail. Perusal of such order would further reveal that the complainant against the backdrop of the allegations contained in the FIR has already initiated proceedings under Section 138 of Negotiable Instruments Act.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 27.10.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

14.02.2017

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No