

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

**CRM-M-19442-2018
Date of decision: 06.09.2018**

Iqbal Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Yogesh Goel, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Mr. Banni Thomas, Advocate
for the complainant-State Bank of India.

ARVIND SINGH SANGWAN, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail to the petitioner in FIR No. 93 dated
01.03.2018, registered under Sections 420, 467, 468, 471 and 120-B of the
IPC at Police Station Ambala Cantt., District Ambala.

The operative part of the order dated 17.05.2018, vide which
the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has submitted that the
petitioner – Iqbal Kaur is a housewife and as per the
allegation in the FIR, the petitioner's husband, in
conspiracy with one Vishal Saini who had prepared
certain fake documents for the purpose of obtaining the
loan from the bank, have succeeded in obtaining the loan
of Rs.15 lacs which was sanctioned on an application
moved by Sarabjit Singh along with the petitioner and the
amount was disbursed in the account of coaccused namely
Vishal Saini. It is further submitted that Sarabjit Singh has

been arrested by the police and he has made a disclosure statement that he, in conspiracy with co-accused Vishal Saini, had prepared the fake documents and even, he had put fake signatures of the petitioner and on the basis of the said documents, he and Vishal Saini succeeded in obtaining the loan.

Counsel for the petitioner has further submitted that the petitioner has not played any active role and she was not aware of the fact that the sale deed produced by Vishal Saini was, in fact, a fake document and she is ready to join the investigation.

Counsel for the State, on instructions from SI Naresh Kumar, has relied upon the disclosure statement of Sarabjit Singh wherein he has stated that he himself has affixed the fake signatures of the petitioner on the document submitted in the bank, in connivance with Vishal Saini and further submitted that the petitioner be directed to join investigation.

List again on 06.09.2018.

In the meantime, the petitioner is directed to appear before the Investigating Officer on 24.05.2018 at 10:00 am or on any other date or time fixed by him and she shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:- 1. She shall make herself available for interrogation by a police officer as and when required; 2. She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and 3. She shall not leave India without previous permission of the Court. ”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 17.05.2018, has already appeared before the

SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 17.05.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

September 06, 2018

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No