

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

Sr.No.201

CRM-M-2309-2018

Date of Decision:30.10.2018

Resham Kaur

....petitioner

Versus

State of Punjab

.....respondent

CORAM: HON'BLE MR.JUSTICE ARVIND SINGH SANGWAN

Present: Mr.Sarju Puri, Advocate
for the petitioner

Mr.J.P.Ratra, DAG Punjab

ARVIND SINGH SANGWAN, J. :

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.73 dated 14.07.2017 registered under Sections 406 and 420 IPC at Police Station Behram, District SBS Nagar.

The operative part of the order dated 19.01.2018 vide which interim bail was granted to the petitioner, reads as under:-

“Counsel for the petitioner has submitted that prior to registration of the FIR, the complainant has submitted complaints to different authorities and in those proceedings, the petitioner was not named. Counsel for the petitioner has referred to the complaint (Annexure P1) in which name of the petitioner was not mentioned. Counsel for the petitioner has further submitted that this complaint was duly enquired into by the Deputy Superintendent of Police, Rupnagar and vide enquiry dated 25.10.2015, the same was filed as the complainant could not submit any documentary proof of payment of Rs.25 lacs allegedly received by the co-accused Jaswinder Kaur @ Jassi.

It is further submitted that again on a subsequent complaint, similar enquiry was conducted and as per the report (Annexure P3), the same was found to be without any substance. It is further argued that in yet another complaint, an enquiry was conducted vide Annexure P4 and even in that proceedings, the petitioner was not named.

Counsel for the petitioner has also submitted that with regard to the allegations pertaining to the year 2011, the present FIR has been registered on 14.07.2017 and the only allegation against the petitioner is that the complainant used to talk to co-accused Jaswinder Kaur @ Jassi and the petitioner – Resham Kaur in England and the petitioner assured that his son will be called to India.

Counsel for the petitioner has also submitted that the petitioner is a NRI lady aged about 66 years and was not even present at the time corresponding to the period of making the payment by the complainant. It is further submitted that the complainant is ready to come to India and join the investigation.

Notice of motion for 10.05.2018.”

Learned counsel for the State, on instructions from ASI Hardip Singh, submits that the petitioner has joined the investigation and is no more required for further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 19.01.2018 is made absolute.

**(ARVIND SINGH SANGWAN)
JUDGE**

30.10.2018

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Whether speaking/reasoned

Yes/No.

Whether reportable-

Yes/No