

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-29764 of 2017(O&M)
Date of Decision: 30.01.2018

Harbhajan Kaur

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. A.S. Brar, Advocate for the petitioner.

Ms. Jaspreet Kaur, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

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.114 dated 25.7.2016 under sections 420, 120-B I.P.C, registered at Police Station, Dharamkot, District Moga.

FIR came to be registered on the statement of Sartaj Singh with the allegations that he has been duped of a sum of Rs.1,85,000/- on the pretext of sending his brother-in-law namely Gurbachan Singh abroad.

While issuing notice of motion, the following order was passed by this Court on 16.8.2017:-

“Notice of motion returnable on 03.10.2017.

In the event of arrest, petitioner shall be released on ad interim anticipatory bail in FIR No.114 dated 25.07.2016, registered under Sections 420, 120-B of Indian Penal Code, 1860, at Police Station Dharamkot, District Moga, on furnishing of her bail bonds amounting to Rs.10,000/- with one surety of like amount to the satisfaction of the arresting officer. Petitioner is directed to join the investigation as and when required and fully cooperate with the Investigating/Arresting Officer.

Learned counsel for the petitioner to take instructions as to the repayment of the amount of Rs.1,85,000/- to the complainant.”

Learned State counsel upon instructions from H.C Jarnail Singh would apprise the Court that the petitioner has since joined investigation.

A bare perusal of the FIR would reveal that the alleged entrustment of Rs.1,85,000/- is to the son of the petitioner namely Gurjinder Singh @ Gora and who is also stated to have furnished a security cheque.

During the course of arguments it has also gone uncontroverted that main accused Gurjinder Singh @ Gora was arrested and has been granted benefit of regular bail.

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 16.8.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

30.01.2018
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No