

CRM-M-38084-2018

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

CRM-M-38084-2018

Date of Decision: 28.09.2018

Smt. Narvada Shukla

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sunil Chadha, Sr. Advocate with
Mr. M.K.Arya, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner 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.140 dated 07.05.2018, registered at Police Station Division No.5, Ludhiana, under Sections 420, 465, 467, 468, 471 and 120-B 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 contested this petition.

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

From the record, I find that FIR, in the present case, has been

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got registered by complainant-Sunaina Shukla, daughter-in-law of Sham Sunder Shukla. The present petitioner is the wife of Sham Sunder Shukla. As per the prosecution version, the present petitioner transferred the property to her daughter namely Pooja Shukla. It is also the allegation that the accused had constructed another house and usurped the remaining amount. There is also allegation of forging a Will.

Learned counsel for the petitioner submits that civil litigation is already pending regarding validity of the Will.

In pursuance of the interim order dated 31.08.2018 passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. The case is based on documentary evidence. 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 31.08.2018, 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.

28.09.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

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