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

**CRM-M No.39670 of 2017
Date of Decision: 11.01.2018**

JINDERPREET KAUR AND ANR

.....Petitioners

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Sapan Dhir, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioners seek grant of anticipatory bail in case bearing FIR No.152 dated 09.09.2017, registered under Sections 420, 149, 120-B IPC at Police Station Nahianwala, District Bathinda.

FIR was got registered by the complainant Darshan Singh. The primary allegations are revolving around the alleged complicity of Amarjit Singh Dhingra, Ram Singh, Vijay Kumar and others in the context of investment made by the complainant in their Company. The complainant has allegedly invested an amount of Rs.17 lakhs in the Company and also

issued three cheques to Amarjit Singh Dhingra.

Learned counsel for the petitioners submitted that the petitioners were not the Directors of the Company at the time of commission of the offence and no overt act has been attributed to them in terms of FIR except that they are the wives of Ram Singh and Vijay Kumar respectively.

Learned counsel also pointed out that Amarjit Singh Dhingra, Ram Singh and Vijay Kumar have since been granted regular bail, therefore, the petitioners also deserve to be enlarged on anticipatory bail as nothing is to be recovered from them.

Learned State counsel on instructions from ASI Kuldeep Singh opposed the grant of bail on the ground that custodial interrogation of the petitioners is required to unearth the complicity of others in the transaction in question in which complainant has been cheated and was compelled to face unnecessary vagaries of criminal trial.

Taking into consideration the aforesaid facts that since no role has been attributed to the petitioners in terms of FIR except that they are the wives of Ram Singh and Vijay Kumar respectively, the petition is allowed. Petitioners are directed to appear before the SHO/Investigating Officer to join investigation on 17.01.2018 and in the event of their arrest, they shall be

released on bail on their furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner 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;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

January 11, 2018

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No