

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43260-2018

Date of Decision: 05.12.2018

Paramjit Kaur

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Anshul Gupta, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Paramjit Kaur has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0329 dated 20.11.2017, registered at Police Station Pinjore, District Panchkula, under Section 406 of the Indian Penal Code and later on added Sections 420 and 120-B of the Indian Penal Code, 1860.

Notice of motion was issued in this case.

Learned State counsel has appeared 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 have gone through the record.

From the record, I find that the allegation against the present petitioner is that her husband had obtained the loan from the Bank and executed various documents including the equitable mortgage. The allegation in the FIR is that the property has been sold by the loanee as well as the present petitioner as it was jointly owned by them.

In pursuance of the interim order dated 16.11.2018, passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. Nothing is to be recovered from her. The case is based upon the documentary evidence. No useful purpose would be served by sending her to custody as she is not the main accused.

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 16.11.2018, 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.

05.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No