

CRM-M-43804-2018

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

CRM-M-43804-2018

Date of Decision: 29.10.2018

Kulwant Kaur

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Chirag Wadhwa, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Satinder Kumar Rana, Advocate,
for respondent No.2.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in Criminal Complaint No.28/17, instituted on 06.06.2016/31.07.2017, titled as 'Butta Singh vs. Kulwant Singh', pending in the Court of learned Judicial Magistrate Ist Class, Sub Division Assandh, District Karnal.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of respondent No.1-State and respondent No.2 has also appeared through his counsel. They contested this petition.

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

From the record, I find that the petitioner has been summoned by the Magistrate in a complaint case under Section 409 of the Indian Penal Code.

In pursuance of the interim order dated 05.10.2018 passed by this Court, the petitioner has already surrendered before the trial Court and vide order dated 08.10.2018 passed by the trial Court, she has been released on interim bail. Now, she is not required for any investigation or interrogation purposes as it is a complaint case and she is only to face the trial.

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 that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 05.10.2018, granting interim bail to the petitioner, is made absolute.

29.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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