

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

**Criminal Misc. No. M-49395-2017
Date of Decision: 11.07.2018**

Balwinder Kaur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Navraj Singh Mahal, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J.

Petitioner-Balwinder Kaur has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.231 dated 11.10.2017, registered at Police Station Sadar Jalandhar, District Jalandhar, under Sections 419, 420, 465, 467, 468, 471 and 120-B of Indian Penal Code and Section 14 of the Foreigners Act.

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.

Learned counsel for the petitioner states that as per the allegations in the FIR, the petitioner had helped her husband, namely, Ehsanul Haq, to get false Aadhaar Card and PAN Card, by furnishing false address. However, the petitioner had married Ehsanul Haq, who is an Austrian citizen and he had applied for afore-noted documents on his own

accord and without taking any help from the petitioner.

Moreover, in pursuance of the interim order dated 16.01.2018, passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. Nothing has been recovered from her. Therefore, no useful purpose would be served by sending the petitioner 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 16.01.2018, 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.

11.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No