

Sr. No.209

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

CRM No. M-50000 of 2017 (O&M)

Date of Decision: 07.03.2018

Harwinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Himanshu Monga, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in case FIR No.117 dated 19.11.2017, under Sections 420, 406 and 506 IPC, registered at Police Station Ghuman, District Batala.

The following order was passed by this Court on 17.01.2018:-

“Petitioner seeks concession of anticipatory bail in case FIR No.117 dated 19.11.2017, under Sections 420, 406, 506 IPC, registered at Police Station Ghuman, District Batala.

As per allegations, complainant party, namely, Jatinder Singh, Daljit Singh and Sartaj Singh have been duped of their hard earned money by the present petitioner as also her husband, namely

Ravinder Singh @ Ravi on the pretext of being sent abroad.

Counsel would inter alia contend that even as per version of the complainant the entrustment of Rs.65,000/- each at the hands of the complainant was to co-accused Ravinder Singh and not to the present petitioner. Further submitted that the petitioner is a housewife and has no concern with the dealings of her husband.

List on 07.03.2018.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and she shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

State counsel upon instructions from ASI Balwinder Singh apprises the Court that petitioner has since joined investigation. That apart version of the complainants as reflected in the FIR would prima facie indicate that entrustment of the money by each of the complainants was to co-accused Ravinder Singh (husband of the petitioner) even though in the presence of the present petitioner.

Petitioner having joined investigation, this Court is of the considered view that her custodial interrogation would not be warranted.

Petition is allowed. Order dated 17.01.2018, passed by
this Court is made absolute.

Disposed of.

07.03.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No