

CRM-M-8117-2019

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

CRM-M-8117-2019

Date of Decision: 02.04.2019

Jaswinder Kaur alias Soni

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. N.S.Dandiwal, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. R.V.S.Chugh, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.07 dated 14.01.2019, registered at Police Station Makhu, District Ferozepur, under Sections 420 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned

CRM-M-8117-2019

From the record, I find that FIR, in the present case, has been registered on the basis of application given by complainant-Barjinder Singh. As per the version of FIR, Parsan Singh @ Bhola induced the complainant to take him to Kuwait and took the money. The only allegation against the present petitioner is that Parsan Singh @ Bhola asked the complainant to hand over the documents, passport and Rs.1,60,000/- to his wife i.e. present petitioner. Perusal of FIR nowhere shows that the present petitioner has ever induced the complainant to part with the money.

In pursuance of the interim order dated 22.02.2019 passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. She is not the main accused. Therefore, no useful purpose will be served by sending her 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 22.02.2019, 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.

However, nothing stated above shall constitute my opinion on merits of the case.

02.04.2019
parveen kumar

(INDERJIT SINGH)
JUDGE

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