

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-21938-2018 (O & M)

Date of Decision: 22.07.2019

SARABJIT KAUR

.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. A.P. Kaushal, Advocate for the petitioner.

Mr. Sukant Gupta, Addl. PP, U.T. Chandigarh.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.95 dated 24.03.2018, under Sections 419, 420, 467, 468, 471 read with Section 120-B of the Indian Penal Code ('IPC' - for short), registered at Police Station Sector-36, Chandigarh.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it has been alleged that her husband along with another accused was impersonating as Sub Inspector and used to take money from the youth for getting them appointed to the Chandigarh police. He also states that the petitioner is not involved in any other case and has joined investigation.

A coordinate Bench of this Court, by the order dated 01.06.2018, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of her arrest, she was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from SI Naveen Kumar, states that the petitioner is not cooperating in the investigation and the uniform worn by her husband while impersonating as Sub Inspector, laptop, printer and a stamp have to be recovered from her.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of the previous order and no recovery is to be effected from her. He also contends that no recovery has been effected from the husband of the petitioner as well, who has been granted regular bail by this Court.

Learned State counsel is not in a position to controvert the submission made by learned counsel for the petitioner that no recovery could be effected from the husband of the petitioner although he was in police custody for considerable time.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 01.06.2018 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 22, 2019
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No