285 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.11753 of 2019 (O&M)
Date of Decision : 03.05.2019

Bhupinder Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

***

Present: Mr. Sarbjit Singh, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

***

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.161 dated 03.12.2017 registered under Sections 419/420/467/468/471/120-B IPC at Police Station Chatiwind, District Amritsar.

On 14.03.2019 the following order was passed:-

"Prayer in this petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.161 dated 03.12.2017, registered under Sections 419, 420, 467, 468, 471 and 120-B IPC at Police Station Chatiwind, District Amritsar.

According to the prosecution, petitioner along with other co-accused had appeared at the time of Will as sister of

POOJA SHARMA
2019.05.06 16:44
I am the author of this
document

Sukhchain Singh and had given false affidavits. The will dated 12.05.1994 is stated to be forged one and ante dated. No civil litigation is pending between the parties. The case is based upon documentary evidence.

Learned counsel contends that petitioner is innocent and she has falsely been implicated in the instant case. Co-accused of the petitioner namely Ranjit Kaur has already been granted the concession of anticipatory bail vide order dated 10.10.2018 passed in CRM-M-38061-2018. Treating the case of the petitioner on same parity, she may also be granted the concession of anticipatory bail.

Notice of motion for 03.05.2019.

In the meantime, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, she shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C."

Learned State counsel on instructions from SI Harjinder Singh accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 14.03.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

POOJA SHARMA
2019.05.06 16:44
I am the author of this
document

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

03.05.2019
pooja sharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No

POOJA SHARMA
2019.05.06 16:44
I am the author of this
document