

**CRM-M-21407-2019**

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

**CRM-M-21407-2019**

**Date of Decision: 20.05.2019**

Monika Garg

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Deepak Aggarwal, Advocate,  
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

**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.154 dated 13.06.2015, registered at Police Station Kotwali Bathinda, District Bathinda, under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance 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 gone through the record.

As per the prosecution version, allegation against the present petitioner is that she alongwith her husband availed the bank loan of

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Rs.1.45 crore and Darshan Singh (since deceased), husband of the complainant, stood guarantor to the said loan. However, the petitioner has not repaid the loan amount and when proceedings in respect of mortgaged property of husband of complainant were initiated, he committed suicide and qua that, a separate FIR was registered. There is also allegation that the petitioner alongwith other co-accused connived with each other and got the property mortgaged from husband of the complainant. The FIR is of the year 2015 and challan has been presented against other accused and trial is pending. Now, the petitioner is apprehending her arrest after four years of registration of FIR.

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 that the present case is based on documentary evidence, nothing is to be recovered from the petitioner and no useful purpose will be served by sending her to custody. Therefore, finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

**20.05.2019**

parveen kumar

**(INDERJIT SINGH)  
JUDGE**

|              |                           |   |     |
|--------------|---------------------------|---|-----|
| <b>Note:</b> | Whether speaking/reasoned | : | Yes |
|              | Whether reportable        | : | No  |