

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-25647 of 2019
Date of Decision: 20.08.2019

Sonia Kaushal

....Petitioner

VERSUS

State of Punjab and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Piyush Kant Jain, Advocate
for the petitioner.

Mr. Arpinder Singh Sidhu, DAG, Punjab.

Mr. Vivek Goyal, Advocate
for complainant/respondent No.2.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.9 dated 07.01.2019 registered for offences punishable under Sections 420 and 406 of Indian Penal Code, at Police Station Division no. 4, Ludhiana, District Ludhiana.

Heard.

FIR was registered with the allegations that husband of petitioner has cheated the complainant to the tune of ₹1,10,45,700/-. During investigation, petitioner was also nominated on the ground that amount was deposited in her account from time to time. As per details given in the report of the SHO, the amount deposited in the account of petitioner from time to time ranged from ₹9000/- to ₹50,000/- during the period of about two years.

It is also alleged that with the amount deposited in the account of petitioner,

she has purchased three vehicles.

Learned counsel for the petitioner submits that in the FIR, there is no allegation that the petitioner has defrauded the complainant. In the enquiry conducted by ADGP, Punjab, she has been found innocent.

Learned State counsel submits that the petitioner has joined the investigation and her custodial interrogation is no more required for the purpose of further investigation of the case.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and order dated 19.06.2019 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make herself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against her so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

August 20, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No