

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.19990 of 2019 and
Criminal Misc. No.M-27630 of 2019

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Date of decision:24.07.2019

Balwinder Kaur

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Ms. Mannat Anand, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, Assistant Advocate General,
Punjab for the respondent-State.

Mr. Krishan Singh Dadwal, Advocate for the complainant.

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Inderjit Singh, J.

Cr. Misc. No.19990 of 2019:

For the reasons mentioned in the application, Section 420 IPC is added in the head note and prayer clause of the above petition, which was added later on in the FIR No.10 dated 09.05.2019 vide Rapat No.16 dated 05.06.2019. The Registry is directed to carry out the necessary corrections.

The criminal miscellaneous application is allowed.

Cr. Misc. No.M-27630 of 2019:

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.10 dated 09.05.2019 registered for the offences under Sections 406, 120-B and (Section 420 IPC, which has been added later on) (Section 409 IPC has been deleted) at Police Station NRI, Hoshiarpur, District Hoshiarpur.

Notice of motion has been issued in this case.

Mr. Sidakmeet Singh Sandhu, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Krishan Singh Dadwal, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the parties and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

A perusal of the FIR shows that the main accused is Harbhinder Singh, who has transferred the property by way of sale deed in favour of his wife-present petitioner. There is allegation of being beneficiary against the present petitioner.

The present petitioner has already joined the investigation. As stated she is not required for any custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 3.7.2019 passed by this Court 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.

July 24, 2019.

(Inderjit Singh)
Judge

hsp

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