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

CRM-M-31724 of 2019

Date of decision: August 28, 2019

Parminder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.22 dated 23.04.2019, under Sections 420, 465, 468, 471, 406 and 120-B of the Indian Penal Code, 1860, registered at Police Station City Banga, District SBS Nagar.

As per prosecution case, petitioner along with his co-accused, on the basis of forged and fabricated documents, managed to avail agricultural loan from the bank to the tune of ₹1.07 crores and also submitted fake bills in respect of purchase of equipments from M/s Puri Agro Works, Industrial Area, Khanna. They misutilized the above loan and did not use the same for agricultural purposes.

On 19.08.2019, while issuing notice of motion, this Court has passed the following order:-

“Contents that although the loan of ₹26 Lakh was sanctioned and disbursed in favour of the petitioner on 03.02.2014 by way of transfer in A/c No.55150498298, but the same was withdrawn by co-accused Gurwinder Singh, who

has already been arrested. Further contends that even the land measuring 13 Kanal and 02 Marlas, owned by the petitioner, already stands mortgaged with the Bank, therefore, this is a duly secured loan.

Notice of motion for 28.08.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail in the present case till the next date of hearing on her furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from police official present in Court to assist him has stated that in terms of order dated 19.08.2019, petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 19.08.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

August 28, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No