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

CRM-M-35592 of 2019

Date of decision: October 29, 2019

Harvinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Hitesh Ghai, Advocate for the petitioner.

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

MAHABIR SINGH SINDHU, J

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 petitioner, in FIR No.0029 dated 13.05.2019, under Sections 406, 420, 120-B of the Indian Penal Code, 1860 (for short 'IPC') and Section 13 of the Punjab Travel Professional Regulation Act, 2014, registered at Police Station City Banga, District SBS Nagar.

On 11.09.2019, this Court has passed the following order:-

“Contends that petitioner is ready to pay an amount of ₹1 lakh to the complainant within a period of one week from today.

Adjourned to 29.10.2019, for further consideration.

Let needful be done within the stipulated period.

In the meanwhile, petitioner is directed to join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on her furnishing adequate bail and surety bonds to his satisfaction. Petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

Learned counsel for the petitioner submits that, in terms of

previous order dated 11.09.2019 passed by this Court, an amount of ₹1 lakh has been paid to the complainant vide Demand Draft No.261975 dated 18.09.2019, which is duly acknowledged by the complainant. He has also produced the photocopy of the same, which is taken on record.

Learned State counsel, on instructions from ASI Shamsheer, has stated that in terms of order dated 11.09.2019, the petitioner has joined investigation and her custodial interrogation is not required.

In view of the above, order dated 11.09.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

It is clarified that payment of ₹1 lakh to the complainant shall be subject to the final outcome of criminal litigation between the parties and the same shall not be construed as prejudicial to the interest of the petitioner.

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

October 29, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No