

225

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

CRM-M-42439 of 2019

Date of decision: October 16, 2019

Mandeep Kaur @ Bittu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. R.K. Sharma, 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.0206 dated 03.09.2019, under Sections 494, 495, 380, 420, 120-B of the Indian Penal Code, 1860, registered at Police Station Civil Lines, Bathinda.

On 03.10.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that petitioner is having two minor children in the age group of 4 years and 7 years and she is ready to pay an amount of Rs.60000/- to the complainant subject to the final outcome of the present case.

Notice of motion for 16.10.2019.

On the next date of hearing, petitioner shall bring a demand draft for an amount of Rs.60000/- in favour of the complainant-Harbans Singh, before this Court.

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 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.”

In terms of the previous order dated 03.10.2019 passed by this Court, learned counsel for the petitioner has produced a Demand Draft bearing No.943833 dated 15.10.2019 for an amount of ₹60,000/- in favour of the complainant-Harbans Singh and the same has been handed over to ASI Manjit Singh present in Court, for onward transmission to the complainant for encashment, against proper receipt, within a period of one week from today. A photocopy of the said Demand Draft is taken on record and the same is marked as 'X'. It is, however, clarified that the payment of said amount shall not be considered as prejudicial to the interest of the petitioner and the same be subject to the final outcome of the criminal litigation.

Learned State counsel, on instructions from ASI Manjit Singh, has stated that in terms of order dated 03.10.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 03.10.2019 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

October 16, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No