

208

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.64675 of 2018(O&M)

Date of Decision: 26.02.2019

Jaspal Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr.S.S.Majithia, Advocate for the petitioner.
Mr.C.L.Pawar, Sr.DAG, Punjab.
Mr. Ankur Malik, Advocate for complainant.

MAHABIR SINGH SINDHU, J. (Oral)

CRM-5852-2019

CRM is for placing on record legal notice dated 30.01.2019 as
Annexure P10.

For the reasons mentioned in the application, same is allowed.
Accompanied document i.e legal notice dated 30.01.2019 as Annexure P10
is taken on record subject to all just exceptions.

Registry to tag the same at the appropriate place.

Main Case

Present petition has been filed under Section 438 of the Code of
Criminal Procedure (for short 'Cr.P.C') for grant of pre arrest bail to the
petitioner in case FIR No.262 dated 11.12.2018, under Sections 420, 465,
467, 468 and 471 of the Indian Penal Code, 1860 registered at Police
Station Dugri, Ludhiana.

While issuing notice of motion, this court passed the following
order on 27.12.2018:-

“Contends that complainant is the husband and present petitioner is the wife. The allegations are that approximately an amount of ₹ 11,00,000/- has been misappropriated by the petitioner from the account of her husband (complainant), who at the relevant time was residing in China for business purposes. Further contends that already proceedings under Section 125 Cr.P.C as well as Section 12 of the Protection of Women from Domestic Violence Act, 2005 are pending against the complainant.

Notice of motion for 12.02.2019.

Mr. Yash Pal Malik, Advocate appears on behalf of complainant and files vakalatnama, same is taken on record.

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.”

Learned State Counsel, on instructions from ASI Gurmeet Singh has acknowledged that in terms of the previous order the petitioner has joined the investigation and her custodial interrogation is no longer required in this case.

In view of above, the interim order dated 27.12.2018 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

26.02.2019

mamta

**(MAHABIR SINGH SINDHU)
JUDGE**

*Whether speaking/reasoned
Whether Reportable*

*Yes/No
Yes/No*