

204

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

C.R.M-M No.54663 of 2018 (O&M)

Date of Decision : 30.01.2019

Kulwinder Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sandeep Kumar, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

AJAY TEWARI, J. (Oral)

Prayer in the present petition filed under Section 438 of the Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.53 dated 25.07.2016 registered under Sections 419, 420, 465, 467, 468, 471, 474, 120-B IPC at Police Station Dhilwan, District Kapurthala.

On 11.12.2018 the following order was passed:-

“Learned counsel for the petitioner states that the allegations that the husband of the petitioner in conspiracy with the petitioner had mortgaged the land of the complainant to the Andhra Bank, is false as neither the loan had been disbursed to the husband of the petitioner nor the land had been mortgaged.

Notice of motion for 18.01.2019.

Meanwhile, till the next date of hearing, arrest of the petitioner shall remain stayed.”

Learned Sr. DAG on instructions from ASI Paramjit Kumar states that fact of the matter is that the petitioner accompanied her husband and went to the Bank to impersonate Mahinder Singh.

Counsel for the petitioner states that the petitioner is an illiterate lady and just accompanied her husband because account was in their joint name.

It is not disputed that the main accused Amandeep Singh has died and the husband and son of the petitioner has been released on regular bail. In my opinion, no useful purpose would be served by taking the petitioner in custody. In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, she shall be released on bail by the Investigating Officer subject to the conditions as envisaged under Section 438(2) Cr.P.C. The petitioner is directed to appear before the investigating officer on 18.02.2019 and on any other date as and when her presence is required.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

January 30, 2019
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No