

CRM-M-16600-2020

[1]

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

CRM-M-16600 of 2020

Date of Decision: 27.8.2020

Palwinder Kaur

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Jagjit Singh Gill, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter has been taken up for hearing through video conference due to COVID-19 situation.

The present petition under Section 438 Cr.P.C. is filed aggrieved of the order dated 3.6.2020 passed by Additional Sessions Judge, Amritsar declining the prayer of anticipatory bail in FIR No. 12 dated 27.2.2020 registered under Sections 420, 167, 120-B IPC, Police Station Rajasansi.

The allegations in the FIR are that the petitioner alongwith her husband had availed Kisan Credit Card limit of ₹ 29,00,000/-. To secure the interest of the bank, 73 kanals of land was mortgaged. There was default in repayment, the due amount

was ₹ 16,00,000/- including interest. At that stage, it transpired that ownership of the land was changed in the name of Gram Panchayat in 2016, consequent to order of the Court. Knowing the said fact, the petitioner and her husband mortgaged the said land.

On 26.6.2020, learned counsel for the petitioner took time to have instructions as to whether the petitioner is ready to deposit the outstanding amount. On 30.6.2020, statement was made that the petitioner is ready to deposit ₹ 8,00,000/- within one week and the balance amount on or before 7th August, 2020. Interim bail was granted subject to deposit being made as per the statement made and the petitioner's joining the investigation.

Today, learned counsel for the State, on instructions from ASI-Rajinder Pal Singh submits that the petitioner has neither deposited a penny nor joined the investigation.

Learned counsel for the petitioner is not in a position to deny the averments made by learned counsel for the State. He submits that the petitioner is still arranging for the money and needs more time.

The prayer made by the petitioner deserves rejection, considering the nature of allegations in the FIR, public money

involved and even the statement made before this Court is not honoured. The bonafides are lacking and it is not a case for grant of concession of anticipatory bail.

The petition is dismissed.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

27.08.2020
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |