

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

Date of Decision: January 10, 2020

Satwinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parminder Singh Rai, Advocate for
Mr. Sandeep Verma, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.72 dated 21.02.2017, under Sections 406, 420 and 120-B IPC, registered at Police Station, Zirakpur, District S.A.S.Nagar. The petitioner apprehend her arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 03.05.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the FIR is founded on the alleged agreement to sell dated 09.06.2014 in respect of which civil suit for specific performance on behalf of the complainant is already pending. It is further contended that the FIR on the same set of allegations is highly belated, which was recorded on 21.02.2017. According to him, nature of the

allegation of the case set up by the complainant, custodial interrogation of the petitioner may not be necessary.

Notice of motion for 08.08.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted herself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from HC Rameshwar Dass, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 03.05.2019 is made absolute.

Petition stands disposed off.

January 10, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No