

**CRM-M-32130-2020**

**Date of Decision: 04.12.2020**

**Manpreet Kaur**

**.....Petitioner**

**Vs.**

**State of Haryana**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr. Ramneek Singh, Advocate,  
for the petitioner.

Mr. Surender Singh, A.A.G., Haryana.

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**AMOL RATTAN SINGH, J. (ORAL)**

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

On 12.10.2020, the following order had been passed:-

*“All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.*

*By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of anticipatory bail, upon FIR no.694, dated 20.11.2018, having been registered at Police Station Civil Lines, District Hisar, alleging therein the commission of offences punishable under Sections 420, 406, 370, 384, 120-B, 506 and 34 of the IPC, and Section 34 of the Immigration Act, 1983.*

*Learned counsel for the petitioner submits that the only accusation against the petitioner is that she accompanied her husband to a place where money was paid by the complainant to her husband in her presence.*

*Notice of motion is issued to the respondent-State, with Mr. Deepak Bhardwaj, learned DAG, Haryana, accepting notice at the asking of the court.*

*He submits that as per his instructions received from ASI Dinesh Kumar, there is no other criminal case registered against the petitioner, who otherwise is a resident of Punjab.*

*However, her brother is in Greece, on the strength of which the complainant had been duped (as alleged), with her husband and her father-in-law involved in many other cases.*

*Having considered the above, since the petitioner is not stated to be involved in any other case, with the only allegation against her being that she accompanied her husband to a particular place where the money is alleged to have been paid in her presence, without making any comment on the merits of the case, the petitioner is directed to join investigation and upon her doing so, in case she is sought to be arrested, she would be admitted to interim bail, on her furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaq Magistrate. She shall abide by the conditions stipulated in Section 438(2) of the Cr.P.C.*

*If the arresting officer does not join the petitioner in investigation, she would appear before the learned Illaq Magistrate immediately, who would then summon the arresting officer and direct him to join her in investigation.*

*Adjourned to 18.11.2020.*

*A gazetted officer is directed to file a reply, also checking out from the records of the National Crime Records Bureau etc. as to whether any other case stands registered against the petitioner or not.*

*Though it is seen that in fact the petition has been filed arraying the State of Punjab as a respondent, as a matter of fact the FIR is registered in Hisar (Haryana).*

*Obviously, the mentioning of the State of Punjab in the memo of parties is erroneous, with an appropriate application to be moved by the petitioner for correction of the memo of parties and substitution thereof.”*

Thereafter, in the order dated 18.11.2020, the contention of learned State counsel has been recorded to the effect that though the petitioner had joined investigation, however, she was not cooperating in the investigation.

Today, learned State counsel submits on the basis of the reply filed by the Deputy Superintendent of Police, Hisar, that a recovery of Rs. 50,000/- is to be made from the petitioner with regard to which she is not cooperating.

Upon query to him, he does not deny that the petitioners' husband, Kuldeep Singh, is in custody, who is a co-accused of the petitioner.

That being so, obviously if any recovery is to be effected at all, that can be made from the husband of the petitioner also.

Hence, without making any comment on the actual merits of the case, with the order dated 12.10.2020 made absolute, on the same terms and conditions.

**December 04, 2020**  
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Whether speaking/reasoned  
Whether Reportable

**(AMOL RATTAN SINGH)**  
**JUDGE**

Yes  
No.