

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-29433-2019 (O&M)

Date of Decision:-19.2.2020

Kulwinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.S. Khattar, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by ASI Jagir Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.145 dated 24.6.2019 at Police Station Beas, District Amritsar under Sections 420 and 120-B of Indian Penal Code.
2. The FIR was lodged at the instance of Gurmeet Kaur, wherein it has been alleged that Gursewak Singh and his wife Kulwinder Kaur used to visit village Cheema Bath, Tehsil Baba Bakala Sahib, District Amritsar and Gursewak Singh used to represent that he is an agent of State Bank of India and that the bank provides loans to needy persons at a soft rate of interest. It is alleged that the complainant being taken in by the said representation applied for loan and the accused received ₹30,000/- on three different occasions while stating that the same was towards the expenditure to be incurred and for insurance and bank fee etc. and also received another

amount of ₹14,000/-. It is alleged that despite having received the said amount no loan was ever sanctioned in favour of the complainant and later when the complainant demanded back her money, the accused held out threats to eliminate her.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, even if the allegations as levelled in the FIR are taken to be correct, the entire allegations are against Gursewak Singh and not against the petitioner.
4. Opposing the petition, the learned State counsel has submitted that the petitioner being wife of Gursewak Singh was actively involved in the entire racket and she had been attending the telephone calls on behalf of Gursewak Singh and that in these circumstances her complicity in entire occurrence is clearly evident. It has, however, been informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case and also that the main allegations are against the co-accused Gursewak Singh and that the petitioner is a lady and has already joined investigation, her custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 12.7.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

19.2.2020

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**