

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

**CRM-M-39877-2019
Date of decision-26.02.2020**

Balwinder Kaur		...Petitioner
	Vs.	
State of Punjab		...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. APS Sandhu, Advocate for the petitioner.
Mr. Prabhjot Singh Walia, AAG, Punjab.
Mr. Imran Ali, Advocate for the complainant.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.133 dated 24.07.2019 under Sections 406, 420, 465, 467, 468, 471 and 120-B of Indian Penal Code, 1860 registered at Police Station B Division, District Police Commissionerate Amritsar, Amritsar City. The petitioner apprehended her arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 18.09.2019 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 petitioner is daughter-in-law of Kuldeep. There were business dealings between both of them who were running the respective jewellery business. According to him, Kuldeep has already filed a complaint under Section 138 Negotiable Instruments Act, 1881 against the complainant. To retaliate, this false case has been got registered by the complainant involving the petitioner as well.

Notice of motion for 05.02.2020.

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 counsel has further apprised the Court that the parties have entered into a compromise.

The factum of compromise is not disputed by learned counsel appearing on behalf of the complainant.

Learned State counsel who is assisted by SI Varinder Kumar does not dispute this fact that the petitioner has joined the investigation and she 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 18.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

26.02.2020

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

No
No