

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

CRM-M-53534-2019

Date of decision: 28.02.2020

Balwinder Kaur

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rishav Jain, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab
assisted by HC Jaswinder Singh.

MAHABIR SINGH SINDHU, J (ORAL)

Present second petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.0022 dated 17.03.2018, under Sections 420 of India Penal Code (for short 'IPC'), 1860 registered at Police Station Division Subhanpur, District Kapurthala.

On 16.12.2019, this Court has passed the following order:-

“Contends that there is no allegation against the petitioner that she had been entrusted any money by the complainant and moreover, it is co-accused Joginder Singh who has issued two cheques amounting to Rs.4.75 lacs for discharging the liability, in favour of the complainant.

Notice of motion for 10.02.2020.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail till the next date of hearing on her furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from HC Jaswinder Singh, has stated that in terms of order dated 16.12.2019, the petitioner has joined investigation and his custodial interrogation is not required. Also stated that there is no other criminal case pending against the petitioner.

In view of the above, order dated 16.12.2019 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully cooperate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

28.02.2020

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No