

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

207

CRM-M-7556-2021

Date of Decision: 16.11.2021

Balwinder Kaur Johal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajesh K. Dadwal, Advocate, for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by Maninder Kaur.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks anticipatory bail in respect of a case registered against him vide FIR No.308 dated 23.12.2020 at Police Station Tanda, District Hoshiarpur, under Section 420 IPC.
2. At the time of issuance of notice of motion on 17.02.2021, the following order was passed:

“Learned counsel for the petitioner contends that in the instant case the complainant has alleged that the petitioner had represented to the complainant that Rajeev Kumar (co-accused) could help him in getting a loan of Rs.10 lakhs under *Pradhan Mantri Yojna* and took an amount of Rs.80,000/- in cash apart from other documents i.e. Aadhar card, PAN card, Voter card etc. and two blank cheques. However, no such loan was ever sanctioned in his favour. It is alleged that later on he came to know that Balwinder Kaur (petitioner) and Rajeev Kumar had deceived several other persons in an identical manner and had received huge amounts from Kuldeep Singh, Baljinder Singh, Reena Devi, Malkit Kaur, Manoj Kumar, Amarjit Singh, Raj

Kumar, Narinder Kaur, Amarjit Kaur, Gurmit Kaur, Sakina, Balwinder Kaur, Rashpal Singh, Jaswinder Kaur and Rani.

Learned counsel for the petitioner submits that in fact FIR in question has been lodged at the behest of one Manjit Kaur, Ex-sarpanch wife of Amarjit Singh, who had earlier been advanced a loan and when she defaulted, the cheques submitted by her were presented for encashment, but the same were dishonoured leading to a dispute between said Manjit Kaur and Rajeev Kumar and since then the said Manjit Kaur nursed a grudge against Rajeev Kumar and got the instant FIR lodged through her nephew. Learned counsel has further submitted that the co-accused Rajeev Kumar has already been granted anticipatory bail by the trial Court and in these circumstances, the petitioner who is a lady deserves to be extended the same concession.

Notice of motion for 26.05.2021.

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3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 17.02.2021 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.

16.11.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No