

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

201

CRM-M-15816-2021 (O&M)

Date of decision: 02.07.2021

PARDEEP KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. Ravi Malhotra, Advocate for the petitioner.
Mr. VG Jauhar, Sr. DAG, Punjab.

ANIL KSHETARPAL, J. (Oral)

The hearing of the case was held through video conferencing on
account of restricted functioning of the Courts.

On 09.04.2021, the following order was passed:-

The hearing of the case was held through video
conferencing on account of restricted functioning of the
Courts.

This is second application for grant of pre-arrest bail in
a criminal case arising out of FIR No.71, dated 06.07.2019,
registered under Section 420, 120-B IPC at Police Station
Sudhar, District Ludhiana.

The first application i.e. CRM-M-35956-2019 was
dismissed as withdrawn on 05.09.2019, with the following
order:-

“After arguing for sometime, learned
counsel for the petitioners prays for permission to
withdraw the present petition.

Ordered accordingly.”

As per the case of the prosecution, the accused after
having agreed to sell a piece of land on 18.02.2013, on receipt
of Rs.25,00,000/- did not come forward to execute the sale
deed. The accused is also alleged to have sold some portion of
the property, agreed to be sold to the first informant, through
various sale deeds. The civil suit filed by the first informant is
stated to be pending.

Notice of motion for 02.07.2021.

On the request of this Court, Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab, accepts notice on behalf of the State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bond and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Sh. VG Jauhar, Sr. DAG, Punjab, on instructions from SI Puran Singh, has informed that the petitioner has joined the investigation. However, he further submits that investigating officer insists that the amount is required to be recovered. He fairly states that this is not a part of the job of the investigation agency and therefore, the petitioner is not required for further custodial interrogation.

In view thereof, the petition is allowed and the order dated 09.04.2021 is made absolute.

All the pending miscellaneous applications, if any, are also disposed of.

02.07.2021

(ANIL KSHETARPAL)
JUDGE

ashok

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No