

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

208

CRM-M-9682-2020

Date of Decision:15.09.2021

AMANDEEP KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Vinay Kumar Gupta, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

None for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

While granting interim protection to the petitioner, a Co-ordinate

Bench of this Court passed the following order on 05.03.2020:-

“The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No. 140 dated 19.08.2019 registered under Sections 420 and 120-B of the Indian Penal Code, 1860 at Police Station City Kotkapura, District Faridkot.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated on the allegations of having cheated the complainant for a huge amount in conspiracy with the other co- accused. The petitioner had no dealing with the complainant and did not receive any amount. Husband of the petitioner was granted bail by learned Sessions Judge, Faridkot vide order dated 13.11.2019. The petitioner is ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Sandeep Singh Deol, D.A.G. Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the Learned State Counsel, who seeks time to complete his instructions.

Adjourned to 15.04.2020.

In the facts and circumstances of the case, presence of complainant is considered to be necessary for just and proper decision of the petition. On oral request of learned counsel for the

petitioner, complainant is ordered to be impleaded as respondent No. 2. Memo of parties be amended accordingly.

Notice to newly added respondent No.2 be issued for that date on filing of process fee by the petitioner and notice be also given dasti, if so desired.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.”

As per office report, complainant-respondent No.2 has been served, but there is no appearance on his behalf.

Learned State counsel on instructions from ASI Balraj Singh, states that the petitioner has joined the investigation, she is no longer required for custodial interrogation. Upon further instructions, he submits that the petitioner is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 05.03.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

15.09.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No