

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

CRM-M-32940-2021

Date of decision-22.12.2021

Sarabjit Kaur

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Achin Gupta, Advocate for the petitioner.
Mr. K.S.Sidhu, DAG, Punjab.
Mr. N.S.Sidhu, Advocate for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.157 dated 24.07.2021 under Sections 420, 465, 467, 468, 471 and 120-B Indian Penal Code, 1860 registered at Police Station Canal Colony Bathinda, District Bathinda. The petitioner apprehended her arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 16.08.2021, whereby while issuing notice of motion, the interim protection was extended to the petitioner.

The said order reads as under:-

“Learned counsel for the petitioner contends that the husband of the petitioner was working in business with co-accused Mohinder Pal Singh (brother of the complainant) and the alleged power of attorney was genuinely given by complainant in favour of the complainant for release of the vehicle on sapurdari. He submits that the vehicle in question still remains in the name of the owner and as the complainant has a dispute

with her real brother, therefore, the petitioner has been falsely implicated in this case. According to him, in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 17.12.2021.

At this stage, Mr. N.S. Sidhu, Advocate appears on behalf of the complainant.

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 State counsel who is assisted by ASI Gursahib Singh does not dispute this fact that the petitioner has joined the investigation. He further states that the petitioner 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 16.08.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

22.12.2021

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No