

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

CRM-M-31277 of 2020 (O&M)

Date of Decision: December 03, 2021

Harvinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG Punjab.

Mr. Manuj Nagrath, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No.74 dated 14.09.2020, under Sections 420, 120-B of the Indian Penal Code, registered at Police Station Hathur, District Ludhiana Rural.

Learned counsel for the petitioner herein would contend that the instant FIR has been got registered by one Kamalpreet Singh against the petitioner herein, who is his mother-in-law. It is submitted that the complainant alleged that an amount of Rs.25 lacs had been given for the daughter of the petitioner to go abroad and settle, but after she reached Canada, she made no attempt to call her husband, the complainant herein. It

is alleged by the complainant that a fraud has been committed in this regard.

By an order dated 13.10.2020 passed by this Court, arrest of the petitioner had been stayed.

Today, learned State counsel, on instructions from ASI Jagjit Singh, would submit that the matter has been investigated and the petitioner herein, who is the mother-in-law of the complainant, has been found to be innocent and report will be presented in this regard.

In such a situation, when the State itself does not want custody of the petitioner, this petition has been rendered infructuous and the same is disposed of accordingly.

However, it is made clear that in case, the State requires the petitioner in any manner whatsoever, the State shall comply with the provisions of Section 41-A Cr.P.C., by giving a seven days advance notice to the petitioner.

December 03, 2021

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No