

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.37017 of 2020
Date of Decision: February 11, 2021

Anju Bala

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Ashok Paul Batra, Advocate,
for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

Mr. Jaswinder Singh Grewal, Advocate,
for the complainant.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.143 dated 18.06.2020, under Sections 406, 420 and 120-B IPC, 1860, registered at Police Station, City-I, Abohar, District Fazilka. The petitioner apprehended her arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 11.11.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the allegations in the FIR pertain to the illegal withdrawal of Rs.11 lacs from the Bank

account belonging to Baljinder Singh (uncle of the complainant) and the said account-holder never made any complaint during his lifetime. He submits that the accountholder died on 08.08.2019, whereas the amount was withdrawn in the year 2018. He further contends that the petitioner is widow of Sandeep Kumar, who facilitated the opening of the account of Baljinder Singh and said Sandeep Kumar also died in the year 2017.

At this stage, Mr. J.S.Grewal, Advocate appears on behalf of the complainant to oppose the prayer on the ground that the ATM card of the account-holder was retained by Sandeep Kumar and after his death, it was misused by the petitioner and her father-Kishor Chand. However, it is not disputed by him that the account-holder never made any complaint during his lifetime.

Notice of motion 11.02.2021.

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 does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Sarabjit Singh, 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 11.11.2020 is made absolute.

February 11, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No