

203

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.39122 of 2019 (O&M)
Decided on: 08.11.2021

Manpreet Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Swarn Tiwana, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Yashpal Thakur, Advocate for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.74 dated 29.08.2019, under Sections 406, 420, 506, 467, 468 and 471 of the Indian Penal Code, 1860, registered at Police Station Bassi Pathana, District Fatehgarh Sahib.

The operative part of the order dated 13.09.2019, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“....Learned counsel for the petitioner contends that the petitioner has been falsely implicated, as she is the wife of Harvinder Singh @ Happy, who was an attesting witness of the agreement to sell dated 17.05.2018. It is alleged that the sellers were not the owners of the land. He, however, contends that no money has been received by the petitioner, who is a 28 year old lady with a minor

child.

Issue notice to the respondent.

Mr. Yashpal Thakur, Advocate, has put in appearance on behalf of the complainant and filed 'vakalatnama', which is taken on record. He states that the money which the petitioner and her husband had taken from the complainant be returned to him. He also states that the matter may be referred for mediation.

Learned counsel for the petitioner states that the petitioner is also willing to go for mediation.

The parties shall appear before the Mediation and Conciliation Centre of this Court on 20.09.2019. The Mediator shall submit his/her report on or before the next date of hearing.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of her arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

List on 21.10.2019.... ”

Counsel for the petitioner has submitted that, in pursuance to the order dated 13.09.2019, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

Counsel for the complainant has, however, submitted that on an earlier occasion, the petitioner has sought time to explore the possibility of some settlement and the case was referred to the

Mediation and Conciliation Centre, however, no result could be formed as for a considerable long time, the Mediation Centre was closed due to COVID-19 situation.

In view of the above, considering the fact that for a period of about 2 years, there is no allegation against the petitioner that she has misused the concession of bail, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.09.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

08.11.2021
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No