

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202-2)

CRM-M-54833-2019

Date of decision: 18.08.2021

Sukhbir Kaur and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Karanjeet Singh Brar, Advocate for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

On 06.02.2020, the following order was passed:-

“Prayer in the petition is for grant of anticipatory bail to the petitioners in case FIR No.143 dated 18.10.2019 (Annexure P-1), under Sections 419, 420, 465, 467, 468, 471, 120-B IPC registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Counsel for the petitioner has submitted that the petitioners have been falsely implicated in the FIR. Allegedly complainant paid an amount of Rs.90 Lacs to the accused, most of which was transferred through bank transactions, however, the petitioners have not received even a single penny from the complainant. Rather some persons had impersonated themselves as Aasa Singh and Sukhbir Kaur (petitioner No.1) and had filed a civil suit regarding the property in question. Upon coming to know of the same, Aasa Singh and petitioner No.1 filed an application for withdrawal of the suit and brought the fact of impersonation to the notice of the Court and on the complaint by the Court, FIR No.51, dated

10.05.2019 under Sections 419, 420, 465, 467, 468, 471 read with Section 120-B of IPC was registered at Police Station Sadar, Sri Muktsar Sahib. Still further he has submitted that petitioners No.2 and 3 do not own any agricultural land.

Learned State counsel appearing with Mr. R.S. Bhatta, Advocate appearing for the complainant have submitted that the petitioners in connivance with Paramjeet Singh and Pritpal Kaur have defrauded the complainant of huge amount of money and they do not deserve the concession of anticipatory bail.

Adjourned to 18.03.2020.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, upon instructions, from SI Sukhdev Singh submits that the petitioners have joined the investigation and they are no longer required for custodial interrogation.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 06.02.2020 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

18.08.2021
Kamal

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