

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

207

CRM-M-4320-2022

Date of Decision: 04.08.2022

Varinder Kaur ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vishal Khatri, Advocate, for the petitioner.

Mr. H.S.Multani, AAG, Punjab,
assisted by ASI Hardeep Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.87 dated 05.12.2021 at Police Station Ghaine Ke Bangar, District Batala, under Sections 420/120-B IPC.
2. At the time of issuance of notice of motion on 03.02.2022, the following order was passed:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.87 dated 05.12.2021 at Police Station Ghaine Ke Bangar, District Batala, under Sections 420/120-B IPC.

The FIR in question was lodged at the instance of Sukhpal Singh, wherein it is alleged that Gagandeep Singh induced him to part with an amount of Rs.12.5 lakhs and another amount of Rs.4.5 lakhs on the pretext of investing the same in property, which would give huge returns. The complainant has alleged that initially on 27.07.2018, Gagandeep Singh accompanied by his wife Varinder Kaur (petitioner), his mother Jaspal Kaur and sister-in-law came to his house at Amritsar,

where the complainant gave an amount of Rs.12.5 lakhs to him. Subsequently, after about a month, Gagandeep Singh, his wife i.e. the present petitioner, his mother and sister-in-law again came to the house of the complainant when another amount of Rs.4.5 lakhs was given to him. The accused in order to project that he has genuine intentions gave documents in respect of his house (house of the accused) to the complainant. However, when no amount or any profit was given to the complainant, he got a sale deed executed in respect of house of the accused in favour of complainant's wife. At that time, the house was unoccupied and consequently, the complainant took possession of the same. It is further alleged that subsequently Gagandeep Singh accompanied by his wife, his mother, his sister-in-law and 2/3 other persons broke the locks of the house and when the complainant went there, the said persons threatened to kill the complainant. It is further alleged that the women present there instigated other accused to cause injuries to the complainant.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case simply in order to pressurize Gagandeep Singh, as the petitioner happens to be his wife. Learned counsel has further submitted that even if the allegations as leveled in the FIR are taken to be correct, it is the co-accused Gagandeep Singh, who had held out some representation to the complainant on the basis of which the complainant allegedly entrusted an amount of Rs.17 lakhs to Gagandeep Singh though it is claimed the same was entrusted in the presence of the petitioner and some other co-accused. Learned counsel has further submitted that the remaining allegations are only pertaining to issuance of some threats, which apparently have been cooked up falsely.

Notice of motion for 04.08.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that she is not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and otherwise has a clean record, the petition is accepted and the interim directions issued by this Court vide order dated 03.02.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

04.08.2022

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(GURVINDER SINGH GILL)
JUDGE

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