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

CRM-M-7685-2022

Date of decision:15.03.2022

SUKHWINDER KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. In FIR No.288 of 24.12.2021, registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar, offences constituted under Sections 380, 427, 454, 456, 120-B of IPC, are embodied.

2. The learned counsel appearing for the bail applicant has made a vigorous attempt to convince this Court, that the property mentioned in the FIR (supra), is similar, and, common to the property mentioned in a civil suit engaging the bail petitioner, and, the complainant, and, has also further argued, that since a registered deed of conveyance has been executed *inter-se* the bail applicant, and, the complainant qua the afore. Therefore, he argues, that the implication of the bail applicant alongwith her husband in the FIR (supra), is completely false, and, is a disingenuous ploy on the part of the complainant.

3. Be that as it may, the afore arguments is not permissible, as, no credible evidence suggestive of the afore commonality is existing on record.

4. However, the learned counsel for the bail applicant is ready,

and, willing to deposit a sum of Rs.50,000/- before the investigating officer concerned, as a pre-condition for this Court proceeding to grant pre-arrest bail to the bail applicant.

5. The afore prayer is accepted. Consequently, the bail applicant is directed to, within a week from today deposit a sum of Rs.50,000/- before the investigating officer concerned, whereafter it shall become deposited in the *Malkhana* concerned, as a pre-condition for his being admitted to bail. Moreover, the investigating officer concerned, is directed to not arrest the bail applicant, subject to hers furnishing before him personal, and, surety bonds in a sum of Rs.25,000/- each, with an undertaking therein that, as, and when she is summoned through a written hukamnama, served upon her, she shall ensure her presence before the investigating officer concerned. In addition, she shall not tamper with prosecution evidence nor shall influence the prosecution witnesses.

6. In case the investigating officer concerned, files an affirmative report under Section 173 Cr.P.C., before the learned Magistrate concerned, thereupon, the investigating officer concerned, shall deposit the afore sum of money in the establishment of the learned Judicial Magistrate concerned, and, the disbursement of the afore sum of money either to the complainant or to the accused shall be subject to the outcome of the trial, as, becomes entered into by the learned Judicial Magistrate qua FIR (supra).

7. Disposed of.

8. Dasti copy.

(SURESHWAR THAKUR)
JUDGE

15.03.2022

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