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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.6522 of 2020 (O&M)

Date of decision: 28.01.2022

Gurcharan Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Digvijay Nagpal, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.13 dated 11.01.2020 registered under Section 420 IPC at Police Station Sadar Mansa, District Mansa.

On 19.02.2020, the following order was passed:-

“Counsel for the petitioner, at the very outset, submits that without prejudice to the rights of the petitioner, she is ready to deposit a sum of Rs.2 lacs with the Illaqa Magistrate/trial Court subject to final outcome of the case.

Counsel for the petitioner has further submitted that as per the allegations in the FIR, registered at the instance of Bahadar Singh, she has given a sum of Rs.2.50 lacs for settling the matrimonial dispute of her son as the petitioner was serving as an Inspector.

Counsel for the petitioner has further argued that the petitioner already stands retired and it is a matter of trial whether the amount was ever paid.

Counsel for the State, on instructions from ASI Gurtej Singh, submits that during the enquiry, 04 persons including a Sarpanch has made a statement against the petitioner.

Adjourned to 22.04.2020.

In the meantime, the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. She shall make herself available for interrogation by a police officer as and when required;*
- 2. She shall not directly or indirectly make any*

CASE HEARD THROUGH VIDEO CONFERENCING

inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

3. She shall not leave India without previous permission of the Court.

The petitioner will deposit an amount of Rs.2 lacs with the Illaqa Magistrate/trial Court within a period of 30 days from today, which will be kept in an FDRs subject to final outcome of the case and without prejudice to the rights of the petitioner.

The deposit of the amount of Rs.2 lacs with the Illaqa Magistrate/trial Court, shall be a pre-condition before accepting the bail/surety bonds.”

Thereafter, on one date, there was no representation on behalf of the petitioner and again, on 02 subsequent dates, a request was made that the petitioner will comply with the order dated 19.02.2020 as the petitioner has volunteered to deposit Rs.2.00 lacs with the Illaqa Magistrate, to be kept in an FDRs.

Counsel for the State has argued that though the petitioner has not deposited the said amount of Rs.2.00 lacs though she is a retired Inspector from Punjab Police and the allegations against her are of cheating the complainant.

It seems that the petitioner in order to procure the interim protection has made a voluntary statement that she will deposit Rs.2.00 lacs with the Illaqa Magistrate subject to final outcome of the case and despite a lapse of 02 years, she has not deposited the said amount though she has sufficient source to deposit the said amount, being a retired Punjab Police Inspector.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

28.01.2022

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No