

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

**CRM-M No. 17155 of 2022
Date of Decision: 26.04.2022**

Gurmandeep Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Jagdeep S. Chahal, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab

Mr. Manoj Kumar, Advocate, for the complainant.

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition cast under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No. 43 of 14.03.2022, registered at Police Station Sadar, Ludhiana, District Police Commissionerate Ludhiana, constituting therein offences under Sections 420, 465, 467, 468, 471, 120-B of the IPC.

2. The allegations constituted in the FIR (supra) against the present bail petitioner (Gurmandeep Kaur), are that she was not the lawful owner in possession of the petition property, as, prior thereto, her validly constituted power of attorney, had alienated it, to the vendee(s) concerned. If so, the earnest money comprised in a sum of Rs. 10 lakhs, as, received by the present bail petitioner, from the complainant, is required to be deposited, before the Investigating Officer (IO) concerned, for his thereafter making its deposit, in the Malkhana of the police station concerned, and, thereafter his, at the time of filing of a report under Section 173 of the Cr.P.C., making its deposit in the establishment of the learned trial Magistrate concerned.

However, yet the disbursement of the afore deposit being subject to the

outcome of the trial as may become entered upon, by the learned Illaqa Magistrate concerned.

3. During the course of deliberations, the learned counsel appearing for the petitioner, on instructions, given to him, submits that the afore directions, as, are proposed, to be made, upon, the present petitioner, would be strictly complied with by the petitioner.

4. Bearing in mind the above, also when no material has been placed on record by the prosecution, suggesting that in the event of the bail applicant being enlarged on pre-arrest bail, there is every likelihood of hers fleeing from justice, and, or, tampering with prosecution evidence. Therefore, this Court does not deem it fit to order for the custodial interrogation of the bail petitioner.

5. In sequel, with the afore made directions, at para-2 (supra), it is ordered that in the event of arrest of the bail applicant-petitioner, she be released on anticipatory bail, by the Investigation Officer, on hers furnishing personal and surety bonds in the sum of ₹ 50,000/- each, before him, and, also subject to hers not tampering with prosecution evidence, and/or not influencing prosecution witnesses, and, also, as and when she is summoned by the investigating officer, through a written Hukamnama, hers cooperating in the investigations to be made into the offence(s) concerned.

6. Disposed of.

April 26, 2022

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**(SURESHWAR THAKUR)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>