

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-28979-2022(O&M)

Date of decision : 23.08.2022

Navneet Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Swarn Tiwana, Advocate
for the petitioner.

Mr.P.S.Grewal, DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.41 dated 01.04.2020 registered under Sections 406, 420, 120-B IPC at Police Station Samana, District Patiala.

On 11.07.2022, this Court was pleased to pass the following order:-

“Inter alia contends that there is a dispute between the petitioner and her in-laws since 2019 and on account of the said dispute, the petitioner has also been implicated in the present case and in-laws of the petitioner have been found to be innocent. It is further submitted that the petitioner has been named in the FIR so that the petitioner withdraws domestic violence case as well as the custody case which has been filed by her against her husband and her in-laws. It is contended that even as per the allegations levelled in the FIR, three cheques, totaling Rs.3 lacs, have been given by the petitioner. It is further contended that the petitioner in order to show her bona fide, is ready to give an amount of Rs.1.5 lacs to the complainant-Sukhwinder Singh, without admitting her

liability.

Notice of motion for 23.08.2022.

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

The petitioner is directed to prepare demand draft of Rs.1.5 lacs in the name of complainant and is also directed to give the same to the Investigating Officer within a period of three weeks from today, who shall further handover the same to the complainant after taking receipt from him.

It is made clear that in case, the demand draft of the abovesaid amount is not given to the Investigating Officer prepared in the name of the complainant within a period of three weeks from today, then the interim relief granted in favour of the petitioner would be liable to be vacated.

The payment of the amount of Rs.1.5 lacs would not be construed as an admission of guilt by the petitioner.

11.07.2022”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation. It is further submitted that the petitioner has given the demand draft of Rs.1.5 lacs in the name of the complainant Sukhwinder Singh, although there was some delay in submitting the said demand drat.

Learned State counsel, on instructions from ASI Charanjit Singh, has submitted that said demand draft has been given to the Investigating Officer and the Investigating Officer has further given the same to the complainant. It is further submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 11.07.2022,

and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 11.07.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

August 23, 2022
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No