

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.205

CRM-M-29932 of 2022

Date of Decision: 12.09.2022

Amarjit Kaur

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.204 dated 01.10.2021, under Sections 120-B, 420, 465, 467, 468 and 471 IPC, registered at Police Station Bhawanigarh, District Sangrur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 14.07.2022, which reads as under:-

“Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail in respect of FIR No.204 dated 01.10.2021 registered under Sections 120-B, 420, 465, 467, 468 and 471 of the IPC at Police Station Bhawanigarh, District Sangrur.

Learned counsel for the petitioner submits that though this is the second petition for the grant of anticipatory bail but the same is maintainable keeping in view the changed circumstances.

Learned counsel for the petitioner submits that in the present case, the allegation against the petitioner is that she along with her son who is also a co-accused, in

connivance with other co-accused namely Gurinder Singh, who is a bank employee, submitted forged documents in order to claim the loan. Learned counsel for the petitioner further submits that bank employee Gurinder Singh has already been extended the benefit of anticipatory bail by the Coordinate Bench of this Court on 25.01.2022 in CRM-M-2231-2022 and even in the case of other co-accused Sukhchain Singh, his arrest has been stayed. Learned counsel for the petitioner further submits that keeping in view the such facts, the petitioner, who is also ready to join the investigation and cooperate with the same, may kindly be extended the benefit of anticipatory bail.

Notice of motion

Mr. Joginder Pal Ratra, learned Deputy Advocate General, Punjab, who is present in the Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State does not dispute the facts which have been stated hereinbefore but submits that certain information from the petitioner is necessary so as to investigate the allegations alleged in the FIR.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the facts and other circumstances where coaccused Gurinder Singh has been given the benefit of anticipatory bail and the arrest of co-accused Sukhcahin Singh has been stayed coupled with the fact that the petitioner is ready to join the investigation and cooperate with the same, the purpose of investigation will be achieved in case the petitioner is directed to join the investigation and cooperate.

Petitioner is directed to join the investigation forthwith.

In the event of her arrest, she shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on her furnishing bail bonds/surety bonds to his/her satisfaction subject to the following conditions:

- i) That she shall make herself available for interrogation by the police officer as and when required*
- (ii) That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.*
- (iii) That she shall not leave India without prior permission of the Court.*
- (iv) That she shall abide by all the conditions as enshrined under Section 438 (2) Cr.P.C.*

Adjourned to 12.09.2022.

It is, however, made clear that after the petitioner join the investigation, in case any incriminating material comes against the petitioner, the respondent-State will be at liberty to file appropriate application seeking the custody of the petitioner in case, the same is needed.”

Learned State counsel states that in terms of the order of this Court reproduced hereinbefore, the petitioner has joined the investigation and no further interrogation is required.

In view of the above, the order dated 14.07.2022 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not cooperating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands allowed.

(HARSIMRAN SINGH SETHI)
JUDGE

12.09.2022
Maninder

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