

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.33483 of 2021

Date of Decision: 17th February, 2022.

Kulwinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. J.K.Singla, Advocate,
for the petitioner.

Ms. Ishneet Kaur, Assistant Advocate
General, Punjab.

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MEENAKSHI I. MEHTA, J.

Apprehending her arrest in the criminal case pertaining to the FIR bearing No.71 dated 13.06.2021 registered at Police Station Boha, District Mansa, under Sections 420 & 120-B IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner, along-with her co-accused, duped the complainant of an amount of Rs.3 lac on the pretext of getting his brother employed in the FCI as he was having good links with the high authorities.

Status-report has already been filed on behalf of the respondent-State, by way of the affidavit of the Assistant Superintendent of Police, Sub-Division Budhlada, District Mansa.

I have heard learned counsel for the petitioner as well as

learned State counsel in the present petition and have also perused the file thoroughly.

It is pertinent to mention here that vide the order dated 18.08.2021 as passed by this Court, the petitioner was extended the relief of interim bail and was directed to join in the investigation of the case. On 16.11.2021, learned State counsel apprised the Court that though, the petitioner had joined the investigation but she did not co-operate with the Investigating Agency. Therefore, she was again directed to join in the investigation. Today, learned State counsel, on the instructions from ASI Hardev Singh from the above-said Police Station, apprises the Court that the petitioner has failed to comply with the order dated 16.11.2021 and has not joined the investigation after 30.08.2021.

Faced with this situation, learned counsel for the petitioner contends that the petitioner is having strained relations with her husband Jasveer Singh, i.e her co-accused and she did not receive any amount from the complainant and even otherwise, her husband had raised a friendly loan from the complainant and in these circumstances, the petitioner deserves the relief as prayed for in this petition.

Per-contra, learned State counsel argues that the petitioner had actively participated in the crime as she had accompanied her husband to the place of the complainant and they both had received the money from him and keeping in view the gravity of the offence committed by her, this petition be dismissed.

It has specifically been mentioned in Para No.3 of the Status-report that during the enquiry as conducted in respect of the application

moved by the complainant, it was found that the petitioner and her co-accused Jasveer Singh had visited the house of the complainant who had given the amount of Rs.69,000/- to both of them in cash and the remaining amount was paid through bank transactions. It being so, the plea raised by the petitioner regarding her having strained relations with her husband, i.e her co-accused Jasveer Singh and her having not received any amount from the complainant, cannot be given any weightage at this stage.

Keeping in view the above-discussed facts and circumstances, this Court is of the considered opinion that she (petitioner) does not deserve the relief of anticipatory bail. Resultantly, the petition in hand stands dismissed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

17.02.2022.
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Whether speaking/reasoned?	Yes
Whether Reportable?	No