

*(Through Video Conferencing)*CRM-M No.46273 of 2021
Date of Decision: 18.01.2022

Kulwinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHIPresent: Mr. Rajiv Joshi, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioner is seeking anticipatory bail in FIR No.239 dated 07.09.2021, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Phillaur, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court on 02.11.2021. Order dated 02.11.2021 is as under:-

“Present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.239 dated 07.09.2021, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Phillaur, District Jalandhar.

Learned counsel for the petitioner argues that the only allegations alleged against the accused in the present petition are that they had connived with each other to prepare the forged Will. Learned counsel for the petitioner further argues that as per the said Will, the name of the petitioner has been mentioned as one of the beneficiaries, otherwise, the petitioner has not signed the said documents in any manner and has not taken any benefit of the said alleged forged Will. Learned counsel for the petitioner further argues that co-accused, namely, Amrik Singh and Charanjit Singh, have already been granted the benefit of regular bail by this Court and nothing is to be recovered from the petitioner as all the documents are already with the investigating agency. Learned counsel for the petitioner further submits that as the petitioner is ready to join the investigation and cooperate, she may kindly be granted the concession of anticipatory bail.

Notice of motion for 17.01.2022.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State.

Learned State counsel submits that the allegations against the petitioner are very serious though nothing is to be recovered from her as of now.

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

As the petitioner is a lady of 61 years of age and she was made an accused only on the ground that she is one of the beneficiaries of the alleged forged Will and nothing is to be recovered from her and she is willing to join and cooperation the investigation, the purpose of investigation will be achieved in case the petitioner is directed to join the investigation and cooperate especially in view of the fact that the other co-accused, namely, Amrik Singh and Charanjit Singh, have already been granted the concession of regular bail by this Court.

Hence, the 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 the satisfaction of the Arresting Officer/Investigating Officer 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.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Paramjit Singh states that in terms of the order of this Court reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 02.11.2021 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 co-operating, State shall have liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

18.01.2022
 jyoti-II

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No