

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-45622-2022
Date of decision : 17.10.2022

Sandeep Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Satish Garg, Advocate
for the petitioner.

Mr.Iqbal S.Mann, 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.0085 dated 09.08.2022 registered under Section 420 IPC at Police Station Urban Estate Patiala, District Patiala.

On 30.09.2022, this Court was pleased to pass the following order:-

“Inter alia, contends that the petitioner has been implicated only on the basis of being the wife of Kamalpreet Malhotra and has submitted that the petitioner, since 2011, has been residing separately from her husband along with her father-in-law and her husband Kamalpreet Malhotra in these 11 years had only come once to meet the petitioner. It is further submitted that when the FIR had been registered, father-in-law of the petitioner had given a representation dated 14.08.2022 in which he had specifically that that he had disowned his son and the present petitioner along with her son have been residing with the father-in-law. It is also submitted that in the FIR, it has been mentioned that Ankita Sharma is the wife of Kamalpreet Malhotra, whereas in fact, it is

the present petitioner who is his wife and has submitted that from the said complaint, it is apparent that the complainant has never even met the present petitioner.

Notice of motion for 17.10.2022.

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.

To be heard along with CRM-M-43788-2022.

September 30, 2022

**(VIKAS BAHL)
JUDGE”**

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel has 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 30.09.2022, 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 30.09.2022 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**

October 17, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No