

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-5601-2023

Date of decision: 13.07.2023

Kulwinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sukhjot Singh, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.99 dated 25.06.2022 under Sections 420 and 406 of the IPC registered at P.S. Sadar Jagrao, Police Station District Ludhiana Rural, District Ludhiana.

2. Vide order dated 03.02.2023 passed by a Coordinate Bench of this Court, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner was not named in the initial complaint made by the complainant on 17.7.2022 and it was only Kulwinder Singh who was named, who at present is already in custody. He further contends that the only role emerged during the enquiry of the said complaint is that the account in which the alleged payments were received, belongs to the petitioner. Learned counsel submits that as the petitioner lost her husband wayback in the year 2019 and co-accused Kulwinder Singh being her brother-in-law was the one who was looking after her accounts and she was totally unaware of the proceeds received. Learned counsel further submits that the petitioner is ready to join the investigation.”

3. Learned counsel for the petitioner submits that in compliance of order dated 03.02.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Rakesh Kumar, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for her custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 03.02.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

13.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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