

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-28156-2023

Date of decision: 20.09.2023

Kiranjeet Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kanwal Goyal, Advocate with
Mr. Shobhit Rapria, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Arpinder Singh Sidhu, Advocate for
Mr. Gopal Singh Nahel, Advocate
for the complainant.

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.65 dated 09.05.2023 under Sections 420, 406 and 120-B of the IPC registered at Police Station Sadar Sangrur, District Sangrur.

2. On the last date of hearing i.e. 05.07.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked her to join investigation:-

“Learned counsel for the petitioner inter alia submits that totally false allegations have been levelled against the petitioner of having lured the complainant to part with `10 lakhs on the pretext of getting a government job to his son. Learned counsel submits that in fact totally bald allegations have been levelled against the petitioner on account of the fact that the Panchayat Elections were in the offing and the complainant party wanted to, thus,

create some obstacles in her way to contest the elections. He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of order dated 05.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation. However, he submits that the petitioner has not fully cooperated with the investigating agency as the amount taken from the complainant by the petitioner has not been returned back. Hence, her custodial interrogation would be required.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. Mere non-recovery of some amount cannot be a ground to deny the concession of anticipatory bail to the petitioner and order he custodial interrogation, once she has joined investigation in compliance of order dated 05.07.2023.

7. In view of the above, the petition is allowed and interim order dated 05.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

20.09.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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