

**204-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-36650-2022(O&M)
Date of decision: 26.07.2023**

NARINDER KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Neetu Singh, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

Ms. Shivya Sehgal, Advocate for the complainant.

VIVEK PURI,J. (ORAL)

1. On 22.08.2022, the following order was passed:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.0150 dated 28.07.2022, registered for offences under Sections 448, 454, 380, 354, 506 and 34 of the Indian Penal Code, 1860, at Police Station Model Town, District Police Commissionerate, Ludhiana, Annexure P-1.

By referring to the Agreement to Sell dated 25.03.2021, Annexure P-2, counsel for the petitioner contends that dispute is civil in nature and allegation against the petitioner, who is 52 years old lady, is that she along with co-accused have forcibly taken possession of the property of the complainant.

Notice of motion.

On asking of the Court, Mr. Tarun Aggarwal, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State. He is assisted by Mr. Vaibhav Sehgal, Advocate for the complainant, who has filed Power of Attorney, which is taken on record. Counsel for the complainant has argued that the complainant and her brother have jointly purchased the property in an auction held by a Bank.

List on 24.01.2023.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the

Investigating Officer. In the event of arrest, she shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. She shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

- 2. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.
- 3. On instructions from Gurdev Ram, learned State counsel has not dispute the aforesaid factual aspects and also submits that the petitioner has joined the investigation and her custodial interrogation is not required.
- 4. In view of the aforesaid submissions, the order dated 22.08.2022, granting interim bail to the petitioner is made absolute.
- 5. The petition is allowed.

26.07.2023
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(VIVEK PURI)
JUDGE

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