

Neutral Citation No.2023:PHHC:148916

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-37540 of 2023 (O&M)

Date of decision : 22.11.2023

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Rajpinder Kaur

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harshit Jain, Advocate for the petitioner.

Ms. Kanika Sachdeva, Assistant Advocate General,
Punjab, for the respondent-State

Mr. M.S. Toor, Advocate for
Mr. S.K. Bokalia, Advocate for the complainant.

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MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. In case FIR No. 114 dated 1.7.2023 under Sections 420, 406 of the Indian Penal Code, 1860, registered at Police Station Sadar Jagraon, District Ludhiana.

2. Vide order dated 3.8.2023, the petitioner had been granted interim anticipatory bail, relevant part of which reads as

under:-

“Learned counsel for the petitioner submits that admittedly an amount of Rs.3,20,000/- had been deposited in the account of the petitioner, however, the petitioner at no time lured the complainant to part with the said money. There was in fact a business transaction between the petitioner's husband and the complainant. He submits that the petitioner is ready to sit across the table with the complainant and return the amount which has been deposited by the complainant in her account.”

Thereafter vide order dated 18.8.2023, the petitioner was directed to join the investigation.

3. Learned counsel for the petitioner submits that in compliance of order dated 18.8.2023, the petitioner has joined the investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined the investigation and cooperated with the investigating agency. She 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 18.8.2023, is made absolute subject to the conditions laid down in Section 438 (2) Cr.P.C. Needless to say, in case the

petitioner misuses the concession of bail granted to her, the State would be at liberty to seek cancellation of the bail granted to her.

22.11.2023
chugh

(MANJARI NEHRU KAUL)
JUDGE

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