

102

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

CRM M – 48759-2023 (O&M)

Date of decision: 19.10.2023

*Hardev Kaur**.....Petitioner**Versus**State of Punjab**.....Respondent***Coram: Hon'ble Mr. Justice Rajbir Sehrawat**Present: Mr. Jimmy Singla, Advocate
for the petitioner

-.-

Rajbir Sehrawat, J. (Oral)**CRM 44967-2023**

Prayer in this application, filed under Section 482 of the Code of Criminal Procedure, is for placing on record the translated copy of the FIR as Annexure P-5.

For the reasons mentioned in the application, the same is allowed and the document, Annexure P-5, is taken on record.

CRM M 48759-2023

The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory bail to the petitioner in case FIR No. 80 dated 03.05.2023, registered under Sections 420, 406, 347, 365 and 120-B of the Indian Penal Code, at Police Station Lehra, District Sangrur (Annexure P-1).

It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against her. Even as per the story of the prosecution, the matter relates to the alleged sale of the properties of the complainant.

However, the petitioner is neither a signatory to any of the document nor a witness, nor has she received any money in the entire transaction. There is no other case against the petitioner. The petitioner shall join the investigation as and when called for by the police. Hence, the petitioner deserves to be protected against her arrest.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent - State.

Counsel for the State, being instructed by ASI Harbans Singh, Police Station Lehra, Sangrur has submitted that the petitioner along with family members have fraudulently sold the land of the complainant. The petitioner had very much participated in the entire process. However, it is not disputed that the petitioner is neither a signatory to any of the document nor has she received any money in this regard. It is also not disputed that there is no other case against the petitioner.

In view of the above, but without commenting any further on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail, subject to her furnishing personal/surety bonds to the satisfaction of the 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.

(Rajbir Sehrawat)
Judge

October 19, 2023

mohan bimbra

Whether speaking/reasoned

Whether reportable

: Yes/No

: Yes/No