

207

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-52060-2022
Date of Decision: 01.03.2023**

Jarnail Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Dhivya Jerath, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. AG, Punjab.

HARSH BUNGER J. (ORAL)

Prayer in this petition filed under Section 438 of the Cr.P.C., is for grant of anticipatory bail to the petitioner in FIR No.0095, dated 29.04.2022 (Annexure P-1), registered under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Bhawanigarh, District Sangrur, Punjab.

On 11.01.2023 the following order was passed by this Court :-

“Prayer in this petition, filed under Section 438 of the Code of Criminal Procedure, 1973, is for grant of pre-arrest bail to the petitioners, in case FIR No.0095 dated 29.04.2022, registered under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, at Police Station Bhawanigarh, District Sangrur, Punjab.

At the outset, learned counsel for the petitioners submits that she does not press this petition on behalf of petitioner No.1- Jarnail Singh and the prayer for grant of anticipatory bail may be considered for petitioner No.2-Bhinder Kaur @ Rano, only.

In view thereof, the present petition qua petitioner No.1- Jarnail Singh, is dismissed as not pressed.

The present petition now survives only qua petitioner No.2-Bhinder Kaur @ Rano.

Learned counsel for petitioner No.2 submits that petitioner No.2 is innocent and has been falsely implicated in the case for the only reason that she is the wife of Jarnail Singh, who is co-accused in case FIR in question. It is submitted that Bhinder Kaur @ Rano has nothing to do with the case in hand and even otherwise, the only role attributed to her is that her husband-Jarnail Singh had handed over the amount to her. It is further submitted that her prayer for anticipatory bail has wrongly been dismissed by learned Additional Sessions Judge, Sangrur, vide order dated 15.10.2022. It is also submitted that petitioner No.2 is ready and willing to join investigation as and when required by the Investigating Agency.

Notice of motion.

On the asking of the Court, Mr. Vinay Kumar Gupta, Assistant General, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and opposes the prayer for grant of anticipatory bail to petitioner No.2-Bhinder Kaur @ Rano on account of seriousness of offence.

List on 01.03.2023.

In the meanwhile, in the event of arrest of petitioner No.2-Bhinder Kaur @ Rano, she shall be released on ad interim bail to the satisfaction of the Investigating/Arresting Officer. However, she shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

A copy of the complete paper book be supplied to learned State counsel by learned counsel for petitioner No.2 during course of the day."

Vide order dated 11.01.2023, petitioner No.2-Bhinder Kaur @ Rano was directed to join the investigation, however, it has been submitted by learned State counsel that she did not join the investigation as directed by this Court.

In view of the above, the present petition is dismissed for non-compliance of order dated 11.01.2023.

01.03.2023
Himani

(HARSH BUNGER)
JUDGE