

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CRM-M No.52177 of 2023 (O&M)
DATE OF DECISION: 13th OCTOBER, 2023

Gurpreet Kaur

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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

* * * *

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.131 dated 11.08.2022 registered under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station Division No.2, Ludhiana.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is totally concocted. She is not involved in the crime as alleged against her. The dispute relates to sale of some property. However, neither the petitioner is purchaser, nor the seller. Furthermore, the petitioner is neither the signatory to any transaction of transfer, nor is she beneficiary of any such transfer. In fact, the petitioner has no concern with the property allegedly sold by the brother of the petitioner. Therefore, the petitioner deserves to be protected against her arrest.

3. Notice of motion.

4. Mr. Sandeep, Additional Advocate General, Punjab, accepts notice on behalf of the State.
5. Learned State Counsel, being instructed by ASI Gurpreet Singh, has submitted that the petitioner is directly involved in the case, being a legal heir of the person who was tenant in the shop which has been sold now. However, it is not disputed by learned State counsel that the petitioner is neither the signatory to any document nor is she beneficiary of any such transaction of the sale.
6. In view of the above, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of her arrest, the petitioner shall be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that 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.

13th OCTOBER, 2023
‘sandeep’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>