



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.19490 of 2024
Date of decision: 11th November, 2024

Rina @ Renu & others

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arnav Sood, Advocate for the petitioners.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.
Ms. Jasneet Mehra, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No. 0182 dated 24.08.2023, under Sections 406, 420 and 120-B of Indian Penal Code, registered at Police Station City Rupnagar, District Rupnagar.

2. On 22.04.2024, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioners and asked them to join investigation.

“Learned counsel for the petitioners submits that a purely civil dispute has been given a criminal color which is an absolute abuse of process of law. He further submits that the ingredients of Section 415 IPC are prima facie not

met and the allegations against the petitioners are that they introduced one Kulwinder Kumar with the mother of the complainant, who wanted to sell her land and ultimately the said land was sold by the mother of the complainant to one Anju Chaudhary and certain amounts were given by Anju Chaudhary to the mother of the complainant by cheque and since that cheque bounced, the present FIR has been lodged. The FIR neither discloses the cheque number nor any specific role of the petitioners has been elucidated and only on account of alleged dishonor of cheque, an FIR had been lodged.”

3. Learned State counsel has filed short reply by way of affidavit of Gulneet Singh Khurana, IPS, SSP, Rupnagar in the Court, which is taken on record subject to all just exceptions and a copy thereof supplied to learned counsel opposite. While drawing the attention of this Court to paragraph No.1 of the reply, learned State counsel has not disputed that petitioners No.1 and 2 have indeed been declared innocent on 15.05.2024.

4. Learned counsel for the petitioners further submits that in compliance of the order dated 22.04.2024, petitioner No.3 has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from ASI Subash Chander, has not disputed the factum of petitioner No.3 having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

6. In the circumstances, the petition is allowed and the interim order dated 22.04.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. Needless to say, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them.

(MANJARI NEHRU KAUL)
JUDGE

November 11, 2024
rps

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