



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-24967-2024
Date of decision: 08.08.2024

HARVIR KAUR ...PETITIONER

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. S.S. Rangi, Advocate for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
42	01.05.2024	420, 406, 408, 465, 467 and 120-B of IPC	Haryana, District Hoshiarpur.

2. Status report dated 07.08.2024 in the form of an affidavit of Deputy Superintendent of Police, Sub Division Rural, District Hoshiarpur, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
3. Learned counsel for the petitioners submits that in compliance to the order dated 17.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 17.05.2024.



4. Learned State counsel, on instructions from ASI Satpal Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.

5. Mr. Piyush Khanna, Advocate has put in appearance on behalf of the complainant and filed power of attorney, which is taken on record. He further opposed the bail application of the petitioner keeping in view the gravity of the facts.

6. During the course of hearing on 17.05.2024, following order was passed:

“ In both the petitions titled above, filed under Section 438 Cr.P.C., petitioner(s) prays for grant of anticipatory bail in case FIR No.0042 dated 01.05.2024 under Sections 420, 406, 408, 465, 467 & 120-B of the IPC registered at Police Station Haryana, District Hoshiarpur.

As rightly pointed out by learned counsel for the petitioners, main allegations are against Iqbal Singh, who as Secretary of Khun Khun Cooperative Agriculture Seva Sabha, was entrusted with the allowances and salaries payable to the members but who used to credit the amount to his favourite members. Allegations are also to the effect that he transferred amount in the name of Harvir Kaur (petitioner in CRM-M-24967-2024), who was residing with him as his wife.

Petitioner Pargat Singh was President at the relevant time and attribution to him is that he left India and handed over the blank signed cheques to Iqbal Singh.

Learned counsel contends that at the most allegation against the petitioner Pargat Singh is to have trusted the petitioner. Simply because he handed over the signed cheques



to Iqbal Singh, does not mean that he was accomplice to the crime of embezzlement. As far as petitioner Harvir Kaur is concerned, it is contended that she is not the Office Bearer in the society.

Notice of motion.

Mr. Amandeep Singh, DAG, Punjab accepts notice on behalf of respondent- State. A copy of paper book be supplied to him during the course of day.

Adjourned to 08.08.2024 for filing status report.

In the meantime, in case of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioners shall join the investigation as and when so required by the Investigating Officer. They shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. They shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

A photocopy of this order be placed on the connected case file.”

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 17.05.2024 passed by this Court, interim bail granted vide order dated 17.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will



influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.
9. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

08.08.2024
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- i) Whether speaking/reasoned? Yes/No
- ii) Whether reportable? Yes/No