



CRM-M-33387-2024

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

CRM-M-33387-2024

Date of decision: 29th August, 2024

Manveen Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Shubreet Kaur, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 336 dated 09.10.2021 registered under Sections 420, 465, 467, 468, 471 and 120-B of IPC, 1860 at Police Station Civil Lines Patiala, District Patiala.

2. Vide order dated 16.07.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation. On 16.07.2024, the following order was passed:-

“The present petition has been filed by the petitioner under Section 438 of Cr.P.C. seeking pre arrest bail in case arising out of FIR No.0336 dated 09.10.2021 registered under Sections 420, 465, 467, 468, 471 and 120-B of IPC at Police Station Civil Lines Patiala, District Patiala.

The aforementioned FIR had been registered against the



*present petitioner on the basis of a written complaint filed by the complainant Rajdeep Singh who is husband of the petitioner alleging therein that after his marriage with the petitioner in the year 2004, she had started residing with him at Dudhan House, Lehal Colony, Patiala (For short to be mentioned as “**Dudhan House**”). Due to matrimonial discord between them, the complainant shifted to his native house situated in Village Dudan Sadha, District Patiala in November 2011. Before leaving Dudhan House, he had been using a three Phase electricity connection having load of 20 kilowatts since 8 air conditioners and other heavy electrical equipments were installed/used in the said house. Since November 2011, the petitioner was using the said electricity connection and had been making payment of electricity bills. In connivance with the officials of Electricity Board, she got converted the three Phase electricity connection of 20 kilowatts load into a single phase electricity connection of 5 kilowatt load only, on the basis of some forged and fabricated documents purported to be signed by the complainant whereas he had never signed any such document. She even got removed the cell phone number of the complainant from the record of electricity department and got her cell phone number added in the same. She had also used some old photograph of the complainant and made a copy of identity card after forging the signatures of the complainant. Prayer was, therefore, made for taking action against the erring officials of the Electricity Department as well as the petitioner. After lodging of the complaint, investigation has been initiated and is underway. Apprehending her arrest, the petitioner had moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Patiala vide order dated 09.07.2024 (Annexure P-15).*

It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She has been residing in



Dudhan House since November 2012 as per the orders of the Court. No document has been signed/forged or submitted by her to the department of PSPCL (Electricity Board). The complainant got the FIR of this case lodged in the year 2021 but managed to conceal the factum of lodging of the same and no proceedings were initiated against her till the year 2024. He is in arrears of maintenance payable to the petitioner and her son and to avoid making the same, he has filed a false complaint against her culminating into filing of this FIR. The petitioner cannot write in Punjabi and the disputed documents do not bear her signatures. The possibility that the complainant got reduced the electricity load of the Dudhan House to harass the petitioner cannot be ruled out. She had been making payment of all the electricity bills raised by the Electricity Department qua consumption of electricity in Dudhan House. She is ready to provide her handwriting samples by joining investigation and even during the course of inquiry conducted in this case by police officer of rank of DSP, she had offered to give her samples of her handwriting. Her statement has also been recorded in this regard. The allegations as alleged do not make any case of cheating, forgery or use of forged documents by her. Her custodial interrogation is not required. She is ready to join the investigation. Therefore, it is argued that the petition deserves to be allowed.

Notice of motion.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab, who has advance notice of the petition seeks time to file status report.

At this stage, Mr. Preetinder Singh Ahluwalia, Advocate has filed Vakalatnama on behalf of complainant and the same is taken on record. He too seeks time to file reply.

Adjourned to 29.08.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within



one week or as and when required. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel filed status report dated 28.08.2024. The same is taken on record. She further, on instructions states that the petitioner has joined the investigation on 20.07.2024 and he is not required for custodial interrogation.

4. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 16.07.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

[MANISHA BATRA]
JUDGE

29th August, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |