

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.38318 of 2023 (O&M)
Date of decision: 23rd January, 2024

Harpal Kaur

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. P.S. Dhaliwal, Advocate for the petitioner.

Mr. Arun Luthra, Dy. Advocate General, Punjab
for the respondent/State.

Mr. Hitesh Verma, Advocate
for the complainant/respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

CRM No.2005 of 2024

The instant application has been filed for impleading the
complainant as a respondent to the instant petition.

In view of the averments made in the application and in the
interest of justice, the same is allowed and the complainant is allowed to
be impleaded as respondent No.2 to this petition.

Amended memo of parties is taken on record.

CRM No.2006 of 2024

In view of the averments made in the application and in the
interest of justice, the same is allowed as prayed for and the reply filed on
behalf of the complainant is taken on record.

CRM-M No.38318 of 2023

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.36 dated 12.07.2023 under Sections 420, 406, 120B of the IPC registered at Police Station Tallewal, District Barnala.

2. On 07.08.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked her to join investigation.

“Learned counsel for the petitioner submits that it was a matter of record that the complainant had solemnized marriage with Amanpreet Kaur (sister of the petitioner) and an assurance was given that he would be taken to Belgium after marriage. However since Amanpreet Kaur was unable to arrange for complainant's VISA to Belgium, feeling offended, the FIR in question was lodged against the petitioner, wherein false allegations had been levelled.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 07.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Jagdev Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for her custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 07.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to her, the State would be at liberty to seek cancellation of the bail granted to her.

(MANJARI NEHRU KAUL)
JUDGE

January 23, 2024

rps

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