

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-65371-2023

Date of decision: 30.04.2024

Amandeep Kaur

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amaninder Preet, Advocate for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.127 dated 22.11.2023 under Sections 380, 506, 120-B of the IPC, registered at Police Station Badhni Kalan, District Moga.

2. On 27.12.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court had stayed the arrest of the petitioner and asked him to join investigation:-

“The petitioner herein is the wife of the first informant. The FIR was registered on the complaint submitted by the first informant alleging that the petitioner has stolen ornaments and cash from his house. It is evident that the ornaments, if any, are the part of 'Stri Dhan'. As a matter of fact, all the gifts including the ornaments given by her parents as well as in-laws constitutes 'Stri Dhan'. The petitioner got married to the first informant 16 years ago. The couple was blessed with two children. There is a delay of 98 days in lodging the FIR. Prima-facie, the FIR has been registered for abusing the process of the Court.”

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3. Learned counsel for the petitioner submits that in compliance of order dated 27.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, 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 view of the above, the petition is allowed and interim order dated 27.12.2023, is made absolute on her furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer subject to the conditions laid down in Section 438(2) Cr.P.C.

30.04.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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