

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

1. CRM-M-37982-2014

Sandeep Kaur @ Sonu

..... Petitioner

Versus

State of Punjab

..... Respondent

2. CRM-M-40017-2014

Ashwani Mahey

..... Petitioner

Versus

State of Punjab

..... Respondent

Date of decision: 20.07.2015

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Ms. Rishma Verma, Advocate
for the petitioner (in both cases).

Mr. Ankur Jain, AAG, Punjab.

R.P. NAGRATH, J. (ORAL)

This order shall dispose of two petitions bearing CRM-M-37982-2014 and CRM-M-40017-2014, filed under Section 438 Cr.P.C. by petitioners, namely; Sandeep Kaur @ Sonu and Ashwani Mahey, respectively, as the same are arising out of FIR No. 66 dated 21.04.2014 registered under Sections 420/120-B of the Indian Penal Code at Police

Station Civil Lines, Batala, District Gurdaspur.

On instructions from ASI Sukhjinder Singh, learned State counsel submits that both the petitioners have joined the investigation in deference to the directions dated 10.11.2014 (passed in CRM-M-37982-2014) and 29.11.2014 (passed in CRM-M-40017-2014) and they are no more required for further interrogation.

Both the petitioners are stated to have cheated the complainant for sending his son abroad. The entire dispute has been settled between the parties except on two issues; (i) regarding balance payment of ₹ 25,000/- to the complainant; and (ii) handing over of original affidavit containing the terms of settlement between the petitioners and the complainant.

Learned counsel for the petitioners state that the petitioners would hand over the original affidavit which was attested by Notary Public on 07.07.2010 to the Investigating Agency.

In view of the above and without expressing any opinion on merits of the case, both the petitions are allowed and interim bail granted to Sandeep Kaur @ Sonu vide order dated 10.11.2014 (in CRM-M-37982-2014) and to Ashwani Mahey vide order dated 29.11.2014 (in CRM-M-40017-2014) is made absolute, subject to the condition that the petitioners would appear before the Investigating Officer/Arresting Officer on 31.07.2015 between 11.00 a.m. to 2.00 p.m. and hand over the original affidavit which was attested on 07.07.2010 to the IO against proper receipt and keep on co-operating with the investigation as and when required. The petitioners shall also abide by the conditions as

enshrined in Section 438 (2) Cr.P.C.

In case, the petitioners fail to comply with any of the above-stated direction, the concession granted to them by this order shall automatically stand vacated.

July 20, 2015
rishu

(R.P. NAGRATH)
JUDGE