

CRM-M-25720-2016

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of Decision: 08.09.2016

Alia Hasan and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Tejinder Pal Singh, Advocate,
for the petitioners.

Ms. Shivali, AAG, Punjab.

Mr. Dinesh Kumar, Advocate,
for the complainant.

INDERJIT SINGH, J.

The petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.218 dated 22.06.2016, registered at Police Station City Sangrur, District Sangrur, under Sections 420 and 120-B IPC.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and the complainant has also appeared through his counsel. They have contested this petition.

I have heard learned counsel for the petitioners, learned State counsel as well as learned counsel for the complainant and have gone

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through the record.

So far as petitioner No.2 is concerned, there is no allegation that she had received any money or made any inducement.

In pursuance of the interim order dated 29.07.2016 passed by this Court, petitioner No.2 has already joined the investigation. She is not required for custodial interrogation. Nothing is to be recovered from her.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and that no useful purpose will be served by sending petitioner No.2 to custody, I find merit in this petition qua petitioner No.2 only and the same is allowed as such. The order dated 29.07.2016, granting interim bail to petitioner No.2, is made absolute.

So far as petitioner No.1 is concerned, she is the main accused. There are specific allegations against her that she had taken the money from complainant for sending him to Canada and arranging employment.

Learned counsel for the complainant has also placed on record copy of affidavit stated to be executed by petitioner No.1. The bank receipts etc. have also been placed on record to show that money has been deposited in the account of petitioner No.1.

Keeping in view the nature and gravity of the offence and in view of the fact that petitioner No.1 is required for custodial interrogation, I do not find it a fit case where petitioner No.1 is entitled for anticipatory bail.

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Therefore, finding no merit in the petition qua petitioner No.1,
the same is dismissed accordingly.

08.09.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

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