

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-9482-2019

Date of Decision: March 25, 2019

Charanjit Kaur

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr.Jagdish Singh Mahal, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.005 dated 07.01.2019 at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur, under Section 420 of IPC, 1860 and 13 of Punjab Prevention of Human Smuggling Act, 2012.

The FIR was lodged at the instance of Sukhwinder Kaur wherein it has been alleged that in August 2015, she had met the petitioner-Charanjit Kaur and her husband-Kulbir Singh and had discussed about education of her daughter. The said Charanjit Kaur represented that her husband-Kulbir Singh has good relations with agents and could sent complainant's daughter abroad for an amount of Rs.25 lacs. A deal was struck for Rs.23 lacs and complainant paid an amount of Rs.2.5 lacs to Kulbir Singh and his wife Charanjit Kaur at bus stop Batala in a tea shop. It is further alleged that subsequently an another amount of Rs.2 lacs was

given to a person sent by the accused.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case simply in order to pressurize husband of the petitioner and that she is a housewife and has never been involved in any other case.

Opposing the petition, learned State counsel has submitted that the complicity of the petitioner would be evident from the fact that her husband had earlier issued a blank cheque to return the amount due to the complainant.

Having considered facts and circumstances of the case and that the cheque in question was issued by co-accused Kulbir Singh and not by the petitioner and also bearing in mind that the petitioner is a lady, a lenient view is taken. The petition, as such, is accepted. In the event of arrest, the petitioner be released on bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under section 438(2) Cr.P.C.

The petition stands accepted accordingly.

March 25, 2019

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[GURVINDER SINGH GILL]
JUDGE

Whether speaking/reasoned :

Yes/No

Whether Reportable :

Yes/No