

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

201

CRM-M-22940-2018
Date of Decision : 17.10.2019

Gian Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. T.S.Hundal, Advocate for
Mr. G.K.Hundal, Advocate
for the complainant.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.17 dated 24.01.2018 under Section 420 IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 (added later on), registered at Police Station City Kapurthala, Punjab.

On 25.05.2018, the following order was passed:-

“Heard.

Learned counsel for the petitioner submits that as per allegations in the FIR, husband and son of the petitioner have cheated the complainant and some other persons for a sum of ₹48,50,000/- by alluring to send and settle them in Canada. The petitioner has been falsely implicated being wife of Parkash Chand and mother of Makhan Singh.

Notice of motion for 29.08.2018.

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within two weeks. In the event of her arrest being required, she shall be released on interim bail till the next date, subject to her furnishing bonds to the satisfaction of Arresting Officer. However, she shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which she shall lose the benefit of interim bail allowed to her.”

The petitioner was also granted concession of bail in Section 13 of Punjab Prevention of Human Smuggling Act, 2012 vide order dated 21.06.2018 passed in CRM-No.21853-2015.

On 29.08.2018, the interim concession was vacated as the petitioner had failed to join the investigation. Thereafter, repeatedly requests for adjournment have been made. Again today, a written request has been made. However, considering the conduct of the petitioner, this Court is not inclined to grant further adjournment in this case.

Since the petitioner has failed to join investigation despite the direction of this Court and subsequently has reflected complete lack of interest in this petition and, therefore, the petition is dismissed.

17.10.2019
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No