

In the High Court of Punjab and Haryana at Chandigarh

211

CRM-M-52160-2018 (O & M)

Date of Decision: 06.05.2019

RAJINDER KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. L. S. Mann, Advocate for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.376 dated 04.09.2018, under Sections 420, 465, 467, 468 and 120-B IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station City Barnala, District Barnala.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that the petitioner and her husband had taken money from the complainant for sending him abroad. He further contends that the petitioner has been falsely implicated in the case being the wife of the main accused namely Ranjit Singh. The only allegation against her is that she had put the money received by the co-accused from the complainant, in her bag. There is no specific allegation that the amount was received by her directly from the complainant or she had any knowledge about the mala fide intention of the co-accused. She is a lady of 39 years of age and has two minor children.

A coordinate Bench of this Court, by the order dated 27.11.2018, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of her arrest, she was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Surinder Pal, states that the petitioner has joined investigation but the money is to be recovered.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 27.11.2018 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

May 06, 2019

A.Kaundal

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No