

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36876-2019(O&M)

Date of decision: 19.11.2019

Heena

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Manoj Sharma, Advocate for the petitioner

Mr. Hittan Nehra, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Keeping in view the facts of the case, on 14.11.2019, following
order was passed:-

“On 03.09.2019, after noticing the contention of
learned counsel for the petitioner, following order was passed
by this Court:-

*“Petitioner prays for anticipatory bail in
FIR No.71 dated 10.06.2019 registered under Sections
406, 420, 120-B IPC and Section 24 of the Immigration
Act at Police Station Navi Baradari, District Police
Commissionerate Jalandhar.*

*Learned counsel for the petitioner submits
that the petitioner is only an employee in the travel
agency and as per the allegations, petitioner had
received Rs.5,000/- from the complainant on behalf of*

travel agency.

Notice of motion.

On asking of the Court, Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 04.10.2019.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

To be heard alongwith CRM-M-33820-2019.”

On 04.10.2019, on the application filed, once again petitioner was directed to join investigation on 07.10.2019.

On 07.11.2019, learned counsel for the State prayed for time whereas counsel for the petitioner informed the Court that the petitioner has been arrested and falsely implicated in 6 more cases of similar nature. Order dated 07.11.2019 passed by this Court is extracted as under:-

“Learned counsel for the State prays for time on the ground that Investigating Officer is not present.

Learned counsel for the petitioner has informed the Court that the petitioner has been arrested and falsely implicated in 6 more cases of similar nature. She has been arrested on the day, she went to join investigation.

Keeping in view the aforesaid facts, counsel for the State is directed to provide complete particulars of various cases registered against the petitioner.

Adjourned to 14.11.2019.”

Learned counsel for the State prays for another opportunity to explain.

Keeping in view the facts of the case, Commissioner of Police, Jalandhar is directed to file an affidavit giving details of various cases registered against the petitioner and her role.

Adjourned to 19.11.2019.

It is made clear that no further request for an adjournment shall be entertained.

If the affidavit is not filed on the next date of hearing, Commissioner of Police shall remain present in the Court.”

Affidavit of Commissioner of Police has been filed. Sh. Gurpreet Singh Bhullar, Commissioner of Police, Jalandhar, who is present in Court has admitted that petitioner is employed as a counsellor in the immigration firm. She is neither the Director nor the proprietor nor a

partner in the firm. It has also been admitted that not a single rupee has come to her personal account.

Learned State counsel on instructions from DSP Kawaljit Singh has submitted that petitioner has joined investigation, cooperated and not required for further custodial interrogation at this stage in this case.

In view of the above, order dated 3.9.2019 is hereby made absolute.

However, this Court has been informed that the petitioner has been arrested in many such other cases. Petitioner would have her remedy in accordance with law.

Petition stands allowed.

19.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No