

In virtual Court

CRM-M-12446-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12446-2020 (O&M)

Date of decision: 11.08.2020

Sukhdeep Kaur and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.S. Kakkar, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.183 dated 28.12.2019 under Sections 420/34 IPC, registered at Police Station Dyalpura, District Bathinda.

While granting interim bail to the petitioners, following order was passed by this Court on 18.06.2020: -

“...Learned counsel for the petitioner contends that the petitioners have been falsely implicated in this case as this is a strange case where the students have complained on the criminal side that they had paid the main accused money to get them passed in the 12th examination with good marks. Since they failed, they allege that they have been cheated. To start with, if this was a contract, it was

an illegal and void contract and in all probability, even a suit would not lie for recovery of money. Learned counsel submits that petitioner no.1 Sukhdeep Kaur and petitioner no.2-Gurprem Singh have even not been named in the FIR and no specific role is attributed to them and arrangement of this kind is illegal and void and is against public policy. This is what persuades me to grant ad interim anticipatory bail to the petitioners...”

Learned counsel for the petitioners submits that in pursuance of the aforesaid order, the petitioners have joined the investigation and are not required for any further investigation.

Learned State counsel, on instructions from ASI Jasbir Singh, has not disputed the factual position and states that the petitioners are no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 18.06.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

11.08.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No