

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

Sr. No. 206(3)

CRM-M No.8809 of 2020

Date of decision : 29.10.2021

Gurmeet @ Giti

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Ms. Vinay Kumar, Advocate for the petitioner.
Mr. Saurav Khurana, DAG, Punjab.
Mr. M. K. Bhatnagar, Advocate for respondent No.2.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C.
for the grant of anticipatory bail in FIR No.106 dated 22.10.2018 registered
under Sections 420 and 120-B IPC, at Police Station Raja Sansi, district
Amritsar.

On 28.02.2020, this Court had passed the following order : -

*“The petitioner has filed this petition under Section
438 of the Code of Criminal Procedure, 1973 (for short
'the Cr.P.C.') for grant of anticipatory bail in case FIR
No. 106 dated 22.10.2018 registered under Sections 420
and 120-B of the Indian Penal Code, 1860 at Police
Station Raja Sansi, District Amritsar.*

*Learned Counsel for the petitioner has submitted
that the petitioner who is aged about 60 years has been
falsely implicated in the case on the allegations of having*

cheated the complainant and his relatives on the fraudulent representation of sending abroad. The petitioner is not a travel agent and has not committed any offence. The petitioner is ready to join the investigation and her custodial interrogation is not required for effecting any recovery.

Notice of motion.

On the asking of the Court, Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the Learned State Counsel, who seeks time to complete his instructions.

Adjourned to 13.05.2020.

In the facts and circumstances of the case, presence of complainant is considered to be necessary for just and proper decision of the petition. On oral request of learned counsel for the petitioner, complainant is ordered to be impleaded as respondent No. 2. Memo of parties be amended accordingly.

Notice to newly added respondent No.2 be issued for that date on filing of process fee by the petitioner and notice be also given dasti, if so desired.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of her arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by her to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which she shall not be entitled to the protection of interim bail allowed to her.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation;

cooperated with the investigating agency and that her custodial interrogation is not required by the State.

It is further submitted by learned counsel for the complainant that the petitioner and the complainant have compromised the matter.

After considering the above, the interim order of this Court dated 28.02.2020, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

29.10.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No