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

CRM-M No.9926 of 2020
Date of Decision: 05.04.2021

JYOTI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Tarun Vir Singh Lehal, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner seeks grant of anticipatory bail in case bearing FIR No.9 dated 21.01.2020, registered under Sections 420, 467, 468, 471 and 120-B of IPC at Police Station Division No.1, District Pathankot.

Contends that husband of the petitioner was involved in FIR No.107 dated 20.07.2019 registered under Sections 21, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. He was granted regular bail by the Judge, Special Court, Pathankot, vide order dated 14.01.2020. The petitioner filed an application to furnish bail bonds and surety bonds to get her husband released in compliance of the aforesaid order. The Court became suspicious and sent the documents annexed with

the bail bonds and surety bonds to the police for verification. On verification, the documents were found to be forged and fabricated. Gaganbir Singh and Jatinder Singh stood as sureties on those forged documents.

Admittedly, they have been granted bail by the trial Court. Husband of the petitioner was also granted bail on payment of Rs.50,000/- in cash towards his bail.

Learned counsel further submits that the alleged fake bail bonds and surety bonds were not implemented in any manner in order to get husband of the petitioner released. It was only an alleged attempt. The matter relates to documentary evidence only and no recovery is to be effected from the petitioner.

Notice of motion was issued on 06.03.2020.

Having heard learned counsel for the parties and in view of the facts and circumstances of the case, it would be appropriate to direct the petitioner to appear before the SHO/Investigating Officer to join investigation on 10.04.2021 and in the event of his arrest, she shall be released on bail on her furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

- (i) that the petitioner shall make herself available for interrogation before the Investigating Officer as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender her passport, if any.

Disposed of.

(RAJ MOHAN SINGH)
JUDGE

05.04.2021

sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No