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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.10215 of 2020

Date of Decision:13.07.2021

KAMALJEET KAUR AND ANR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Anandeshwar Gautam, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.342 dated 27.12.2019 registered under Sections 420 and 406 IPC, at Police Station , City Phagwara, Punjab.

On 06.03.2020 following order was passed:-

“Learned counsel for the petitioners contends that son of the complainant Harpal Singh i.e. Gurjeet Singh was married to daughter of petitioner No.1 i.e. Jaspreet Kaur on 17.04.2019. The couple applied for visa for going to Canada. Jaspreet Kaur has applied as principle applicant for study visa and Gurjeet Singh has applied for spouse visa being

husband of Jaspreet Kaur. The marriage was registered on 10.06.2019. The immigration authorities required some documents from Gurjeet Singh and due to his inability to satisfy the requirement, the spouse visa was denied, whereas study visa was granted in favour of Jaspreet Kaur and she ultimately succeeded in going to Canada on study visa. In the context of expenses incurred by the complainant party, they started demanding money from petitioner No.1. On the basis of harassment meted to her, petitioner No.1 ventured to file CRM-M No.55001 of 2019 for protection of her life and personal liberty from being invaded by the complainant party. The said petition was disposed of vide order dated 20.12.2019, thereby directing SSP, Mohali to look into the matter and take appropriate action in accordance with law. Thereafter, the present FIR came to be registered for the offences under Sections 420, 406 IPC. Learned counsel further states that both the offences are antithesis in nature and ingredients of offences are not satisfied.

Notice of motion for 14.05.2020.

In the meanwhile, petitioners are directed to appear before the SHO/Investigating Officer to join investigation on 12.03.2020 at 11.00 a.m. and in the event of their arrest, they shall be enlarged on ad interim bail, subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submitted that in compliance of the order dated 06.03.2020, the petitioners have joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI

Sukhdev Singh submits that incriminating allegations have been verified by joining the petitioners in the investigation on 12.03.2021 and the petitioners have joined the investigation to the entire satisfaction of Investigating Officer and they are no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 06.03.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

13.07.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No