

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

CRM-M-17429-2021

Date of Decision : 03.11.2021

Amandeep Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. G.S. Verma, Advocate
for the Petitioner.

Mr. R.S. Khaira, AAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Anticipatory Bail on behalf of the Petitioner in case FIR No.212, dated 3rd November, 2018, registered under Sections 328, 384, 506, 120-B of the Indian Penal Code, 1860 (offences under Sections 181, 388, 389, 419, 420, 507 of the IPC added later on) at Police Station City Sunam, District Sangrur.

2. With reference to the noting made in the last order passed on 28th September, 2021, Ld. State Counsel submits that Challan against co-accused persons namely Gurmeet Singh and Simarjit Kaur @ Simarpal Kaur @ Simar had been submitted way back on 26th April, 2019 at a stage when the present Petitioner was not yet arrested, and it was for this reason that she was shown in Column No.2 of the Challan.

3. Regarding offences allegedly conducted by the Petitioner,

submission of Ld. State Counsel is that Petitioner is the mastermind behind the extortion racket and the money illegally obtained from the Complainant by the other accused persons was passed on to her.

4. The FIR itself goes to show that whatever money the Complainant claimed to have paid to the original accused persons under duress was actually delivered in cash. There is no trail of the cash having been received by the co-accused persons except for the bald statement of the Complainant and there is little material to indicate the actual involvement of the present Petitioner, who is a woman, simply on the basis of Disclosure Statements of the co-accused persons, who are already on bail.

5. For the aforesaid reasons, this Court is of the opinion that custodial interrogation of the Petitioner is not called for, especially since the Court is not expected to here play the role of some kind of Recovery Agent in criminal proceedings arising from questionable events in which money is transferred. Consequently, the interim bail granted to the Petitioner earlier on 30.04.2021 is hereby confirmed.

6. Disposed off.

November 03, 2021

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No