

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

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**CRM-M-23223-2021(O&M)
Date of Decision: 25.08.2021**

Rajwinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. D.K.Bhatti, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by ASI Mukhtiar Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against her vide FIR No.0032 dated 14.04.2021 at Police Station Cantt Jalandhar, Police Commissionerate Jalandhar, District Jalandhar, under Sections 406/120B IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014.
2. At the time of issuance of notice of motion dated 16.06.2021, the following order was passed:

“Inter alia contends that petitioner has been implicated in this case merely being the wife of co-accused, namely Sukhwinder Singh and she is ready to refund an amount of Rs.50,000/- to the complainant within a period of four weeks from today, subject to the final outcome of the criminal case.

Notice of motion.

Mr. Mehardeep Singh, Additional AG Punjab accepts notice on behalf of the respondent-State and seeks time to have instructions in the matter.

Posted on 25.08.2021.

In the meanwhile, petitioner will join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on her furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the instant case by the complainant so as to pressurize her husband and to extort money from him and that her husband or the petitioner are not into the business of sending persons abroad and in fact her husband is a property dealer and it was on account of some business transaction, which could not materialize that the petitioner and her husband have been falsely implicated.
4. Opposing the petition, learned State counsel upon instructions has submitted that since the petitioner is specifically named in the FIR and was always present along with her husband when payments were made, her complicity is clearly evident. It has further been submitted that since some part of the payments is also made by way of bank transactions, the complicity of the petitioner is clearly borne out.
5. I have considered the rival submissions addressed before this Court.

6. Having regard to the order passed on 16.06.2021 and in pursuance of which the petitioner is stated to have made a payment of Rs.50,000/- to the complainant and while also keeping in view that the petitioner is a lady and is stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 16.06.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

25.08.2021

VY/Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No