

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(205)

CRM-M-27485-2021

Date of decision: - 21.09.2021

Neelam Gill @ Nirmal Kaur

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Arpan Sabharwal, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. Gulzar Mohammad, Advocate, for for respondent No.2.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioner is seeking anticipatory bail in FIR No.54 dated 07.05.2021, registered under Sections 406 and 120-B IPC and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014, at Police Station Division No.1, District Police Commissionerate Jalandhar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court on 19.07.2021. Order dated 19.07.2021 is as under:

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

Prayer in the present petition filed under Section 438 of the Code

of Criminal Procedure, 1973 (for short 'the Cr.P.C.') is for grant of anticipatory bail in case FIR No.54 dated 07.05.2021 registered under Sections 406 and 120-B of the Indian Penal Code, 1860 and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 in Police Station Division No.1, District Police Commissionerate Jalandhar.

Learned Counsel for the petitioner has submitted that the petitioner, her sister and her brother-in-law were found innocent in the investigation conducted by the police officials on complaint of complainant which was given in the month of June, 2019. The petitioner has been falsely implicated in the case almost two years after the above-said complaint and after she was found to be innocent earlier. The petitioner did not commit any fraud and did not make any false assurance. The complainant went to Lebanon but came back with her uncle Paramjit Singh as his uncle Paramjit Singh failed in medical test of the company and the petitioner was not satisfied with the working condition there. The petitioner is ready to settle the matter with the complainant and also to join the investigation.

Notice of motion.

Pursuant to supply of advance copy, Mr. P.S. Walia, Asstt. AG, Punjab has appeared and accepted notice on behalf of the respondent No.1-State.

Learned State Counsel seeks time to file reply.

Adjourned to 17.08.2021.

Notice to respondent No.2 be issued for that date 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 anticipatory 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 anticipatory bail allowed to her.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from S.I. Avtar Singh, states

that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and is not required for further investigation, at this stage.

In view of the above, the order dated 19.07.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 21, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No