

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

**CRM-M-33198-2021**

**Date of decision-10.12.2021**

**Harpreet Kaur**

**...Petitioner**

**Vs.**

**State of Punjab**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: None for the petitioner.  
Mr. Ramdeep Partap Singh, DAG, Punjab.  
Mr. Ritesh Pandey, Advocate for the complainant.  
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**MANOJ BAJAJ, J. (Oral)**

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.042 dated 03.07.2021 under Sections 420 and 120-B Indian Penal Code, 1860 and Section 13 Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Talwandi Bhai, District Ferozepur. The petitioner apprehended her arrest at the hands of Police.

On 17.08.2021, while issuing notice of motion, interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel contends that as per allegations, the accused persons failed to keep their promise, as no visa has been provided to the complainant, despite assurance. Learned counsel has pointed out that the husband of the petitioner is engaged in the business of facilitating the visit of his customers abroad and the petitioner being his wife has been falsely implicated. He submits that no amount was received by the petitioner and her husband is*

*already in custody. He submits that the application for visa is still pending before the competent authority.*

*Notice of motion for 10.12.2021.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the complainant has opposed the prayer and has argued that the petitioner also actively participated in the crime as money was paid to the petitioner and her husband. He submits that the petitioner is also involved in another case of similar nature i.e. FIR No.322 dated 13.10.2021 registered under Section 420 IPC at Police Station Fazilka.

Learned State counsel who is assisted by ASI Amarjit states that the petitioner has joined the investigation. As per the prosecution case, the amount was paid in cash to the husband of the petitioner. He further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 17.08.2021 is made absolute.

**(MANOJ BAJAJ)**  
**JUDGE**

**10.12.2021**

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|--------|-----------------------------|-----|----|
| vanita | Whether speaking/reasoned : | Yes | No |
|        | Whether Reportable :        | Yes | No |