

Richa

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Jagjot Singh Lalli, Advocate for the petitioner.
Mr. Joginder Pal Ratra, DAG, Punjab.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.29 dated 14.04.2015, registered under Sections 420/406/120-B IPC, at Police Station Sarai Amanat Khan, District Amritsar (Now District Tarn Taran).

[3] On 26.08.2021, the following order was passed:-

“ Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.29 dated 14.04.2015 registered under Sections 420, 406 and 120-B IPC at Police Station Sarai Amanat Khan, District Amritsar (Now District Tarn Taran).

Learned counsel contends that the petitioner was employed as a Counselor on salary in “7 SEA VISA PVT. LTD. owned by one Gurpreet Singh Chauhan, Director of said company and the complainant had approached the company for a student visa for Canada for his son and had entered into an agreement with the

company and made non refundable payment on account of various charges to the company and not to the petitioner, the petitioner is not a signatory to the said agreement and the agreement was between Gurpreet Singh Chauhan, Director of the company and the complainant, the petitioner had been granted interim bail but on account of ill health could not join investigation, therefore, the petition for pre-arrest bail was dismissed by the learned Sessions Court on account of the petitioner not having joined investigation and none being present on her behalf, the petitioner has given birth to a daughter on 21.07.2021, she has no criminal antecedents, besides she is ready and willing to join investigation and fully co-operate in the same.

Notice of motion.

Mr. Sukhbeer Singh, learned AAG, Punjab, accepts notice and requests for time to obtain instructions and to argue the case.

Adjourned to 07.10.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police as and when called upon to do so by the Investigating Officer. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to her furnishing bail/surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated. ”

[4] Today, learned counsel for the petitioner contends while learned State counsel on instructions from *ASI Talwinder Singh* confirms that pursuant to the order of this Court dated 26.08.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that her custodial interrogation is not required.

[5] In view of the statement of learned State counsel, order dated 26.08.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C.

However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

[6] Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

07.10.2021
'Rajneesh'

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