CASE HEARD THROUGH VIDEO CONFERENCING

201

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 47977 of 2019 (O&M)
Decided on: 13.08.2021

Jasvir Kaur and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Sanjay Vashisth, Advocate
for the petitioners.

Mr. P. S. Walia, AAG, Punjab.

Mr. Rajinder Sharma, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.88 dated 04.06.2019, registered under Sections 420, 120-B IPC at Police Station Kamboj, District Amritsar (Rural).

The operative part of the order dated 08.11.2019, vide which interim anticipatory bail has been granted to the petitioners, is reproduced as under:-

> ***"....****Learned counsel for the petitioners submits that Robinjeet Singh son of complainant had married with daughter of petitioner No. 1 and both are living in Australia. That marriage took place on 31.10.2017. Concealing the above facts, the petitioner lodged present FIR alleging that a sum of `28,50,000/- was paid for sending younger son of complainant abraod. The amount was paid in the account of different petitioners which was given to daughter of complainant for her study expenses at Australia.*

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The petitioners have filed a petition bearing CRM No. M40026 of 2019 seeking quashing of FIR in which notice of motion has been issued for 05.12.2019.

Notice of motion for 05.12.2019....”

Counsel for the petitioners, at the very outset, submit that petitioner No.3 – Ravjeet Kaur has expired and proceedings qua her be abetted.

Ordered accordingly.

Counsel for the petitioners has submitted that, in pursuance to the order dated 08.11.2019, the petitioners have appeared before the Investigating Officer and have joined the investigation.

Counsel for the State, on instructions from ASI Naresh Kumar, has not disputed the aforesaid fact. It is further submitted that the allegations against the petitioners are of receiving a huge amount for sending the younger son of the complainant abroad and the amount has not been returned, however, it is not disputed that the petitioners have joined the investigation and are no more required for further investigation.

After hearing the counsel for the parties, considering the fact that the interim order was passed on 08.11.2019 and approximately a period of about 01 year and 09 months has already been passed and there is no complaint against the petitioners that they have misused the concession of bail, this petition is allowed and the interim bail granted to the petitioners vide order dated 08.11.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

13.08.2021
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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No

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