

CRM-M-4415-2022

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4415 of 2022

Date of decision :09.12.2022

Sarabjit Kaur alias Mangi Kaur

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Rishabh Gupta, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

None for the complainant.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.187 dated 28.11.2020 registered under Sections 420, 120-B and 34 IPC and Section 13 of Punjab Travel Professionals (Regulations) Act, 2014, Police Station Bullowal, District Hoshiarpur.

The counsel for the petitioner inter alia submitted that the petitioner was falsely implicated in the present case alleging that she took Rs.45 lakhs on the pretext of sending son of complainant to foreign country who was deported from USA after staying there for about 2 years and the present FIR was alleged to be filed by the complainant after about 3 years of the deportation. The counsel for the petitioner further submitted that the

petitioner is undergoing treatment for diabetic, mellitus kidney failure and

neuropathy since June, 2021 and her kidneys are working only to the extent of 13% while her heart only to the extent of 25% and the petitioner has joined the investigation with the police and on conclusion of investigation, the police presented the challan against the present petitioner in the Court concerned.

The State counsel on instructions from ASI Kashmiri Lal has not disputed the fact that the petitioner has joined the investigation and on completion of investigation, the police has presented the challan against the petitioner and while referring to Annexure R-1 reply filed by the State dated 7.7.2022, has not disputed the medical condition of the petitioner and further admitted that she is suffering from kidney failure since June, 2021.

In view of the above, as the petitioner who is suffering from serious ailment as has been discussed above has joined the investigation and after completion of the investigation, the police has presented the challan against her, so no purpose is going to be served by subjecting the petitioner to custodial interrogation at this point of time. Thus, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 23.02.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

December 09 , 2022
PC

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No