

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

CRM-M-17741-2021 (O&M)
Date of decision: 05.09.2022

Neelam Devi and another ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. D.S. Nigha, Advocate for the petitioners.

Mr. I.P.S. Sabharwal, DAG Punjab.

Mr. G.S. Bhullar, Advocate for
Mr. S.K. Choudhary, Advocate for respondent No.2.

HARNARESH SINGH GILL, J. (ORAL)

CRM-10862-2022

Application is allowed as prayed for. Annexures C-1 to C-3 are taken on record.

Main case:

Through this petition, the petitioners seek anticipatory bail in case bearing FIR No.26 dated 07.04.2021, registered under Sections 420, 120-B IPC and Section 4 of the Prize Chit and Money Circulation Schemes (Banning) Act, 1978, at Police Station Taragarh, District Pathankot.

On 27.04.2022, learned counsel for the petitioners submitted that on the complaint moved by the complainant, inquiry was conducted by Senior Level Officers and after due inquiry, the complaint was ordered to be filed. Thereafter, another complaint was filed, on which concerned DSP Operation recommended the registration of the FIR. Petitioner No.1 and the complainant are known to each other and that amount of Rs.3,00,000/- was given to petitioner No.1 by the complainant, for the purpose of her daughter's

marriage.

Vide order dated 27.04.2022, *ad interim* anticipatory bail was granted to petitioner No.1 with a direction to join the investigation.

Learned counsel for the petitioners submits that pursuant to the aforesaid order dated 27.04.2022, petitioner No.1 has joined the investigation.

Learned State counsel, on instructions from ASI Rajesh Kumar, submits that though petitioner No.1 has though joined the investigation and yet she is not cooperating in the investigation, as Rs. 6 lakh is due towards her.

Learned counsel for the petitioners draws the attention of this Court, towards the inquiry report dated 12.12.2019 submitted by the Deputy Superintendent of Police, Command Centre, Pathankot, wherein a conclusion was drawn that none of the parties could produce any documentary evidence to establish the cash payment or amount paid on account of committees.

I have heard the learned counsel for the parties.

Since no receipt has been shown by the complainant, without commenting on the merits of the case, the present petition is allowed and the order dated 27.04.2022 granting *ad interim* anticipatory bail to petitioner No.1 is made absolute, subject to the conditions envisaged in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

05.09.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No