

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-18960-2022 (O&M)
Date of Decision:-13.9.2022

Navneet Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manoj Singla, Advocate for
Mr. Prateek Sodhi, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab,
assisted by ASI Palwinder Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.48, dated 14.4.2022, Police Station Majitha, District Amritsar Rural, under Section 420 of Indian Penal Code.
2. At the time of issuance of notice of motion, the following order was passed on 6.5.2022:

“Learned counsel for the petitioner submits that she has falsely been implicated in the present case and that the facts itself disclosed the falsity of the case. Learned counsel submits that the complainant alleges that the petitioner had entered into an agreement dated 16.8.2019 for sale of her land @ Rs.7.80 lakhs and had received an amount of Rs.9.20 lakhs as earnest money but despite the said agreement, the petitioner sold the land to one

Narinder Kaur on 6.3.2020. Learned counsel submits that the aforesaid sale in question had been executed pursuant to an agreement dated 5.2.2019 and that it is highly unlikely that despite having entered into an agreement in February, 2019 for sale of land @ Rs.13 lakhs per acre, she would have entered into another agreement subsequently at a much lesser rate as alleged by the complainant.

Learned counsel further submits that infact it is a case where the petitioner had taken a loan of Rs.1 lakh from the complainant and at that time had signed certain documents which have apparently been misused by the complainant so as to fabricate a false case against the petitioner.

Learned counsel submits that the petitioner is a Government employee working in PSPCL and that in order to prove her bonafides, she is willing to deposit an amount of Rs.5 lakhs before the trial Court without prejudice to her rights to defend the case.

Notice of motion for 13.9.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

Keeping in view the submissions and offer made on behalf of the petitioner, the petitioner is directed to deposit an amount of Rs.5 Lakhs before the trial Court within three weeks from today. Upon such amount being deposited, the trial Court/Illaq Magistrate shall get the same invested in some FDR in some nationalized bank with the specific direction to the Bank Manager concerned not to entertain any request for encashment except an order of the Court. In case, the petitioner is found innocent and is acquitted and such acquittal attains finality, she shall be entitled to the proceeds

of the FDR. However, in case she is found guilty and her conviction attains finality, it is the complainant who shall be entitled to the proceeds of such FDR.”

3. Learned State counsel, upon instructions from ASI Palwinder Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and she is not required for any custodial interrogation. Learned State counsel has informed that the petitioner is not involved in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation and she is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 6.5.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.
5. It is further directed that the amount of Rs.5 lakhs, which is stated to have been deposited before the Trial Court, shall be dealt with as had been directed vide order dated 6.5.2022.

13.9.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No