

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

**CRM-M-30848-2021
Date of decision: 25.04.2022**

Gian Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amardeep Singh Gill, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 127 dated 10.06.2018, registered under Section 420 IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012 at Police Station City Kapurthala, District Kapurthala.

The operative part of the order dated 04.08.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that previously the petitioner has filed CRM-M-17117-2021, wherein on 29.04.2021, the petitioner has relied upon order dated 24.03.2021 passed in CRM-M-13643-2021, wherein the petitioner, who was accused in another similar FIR No. 126 dated 10.06.2018, under Section 420 IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, had challenged the proceedings under Section 82 Cr.P.C. declaring her a proclaimed person and the said petition was allowed and on noticing the fact that in FIR No. 126, the petitioner was granted liberty to appear before the trial Court, subject to conditions that if any

order is passed on her anticipatory bail application, the trial Court will release her on interim bail.

Learned counsel for the petitioner has now placed on record the copy of the order dated 19.07.2021 passed in CRM-M-25431-2021, vide which the petitioner was granted interim protection in the FIR No. 126 and was directed to join investigation.

Learned counsel further submits that the facts in the present FIR are identical as the petitioner is aged about 60 years and has been implicated in the present FIR solely on the ground that she is mother of co-accused Makhan Singh and wife of co-accused Parkash Chand, against whom there are the allegations of fraud and cheating, whereas there is no such allegation against the petitioner.

Notice of motion 27.09.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 04.08.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Kamlajeet Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 04.08.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

25.04.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No