

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

209

CRM-M-29749-2021 (O&M)

Date of Decision: 19.01.2022

Vandana Choat & others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. G.S.Bawa, Advocate, for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by asi Kulbir Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.48 dated 24.09.2020 at Police Station Arif Ke, District Ferozepur, under Sections 420, 467, 468, 471 & 120-B of the IPC and Section 13 of Punjab Prevention of Human Smuggling Act.
2. At the time of issuance of notice of motion, the following order was passed on 29.07.2021:

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.48 dated 24.09.2020 under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Arif Ke, District Ferozepur (Annexure P-1).

Counsel for the petitioners contends that the petitioners No.1 and 2 are the unmarried sisters and petitioner No. 3, who is aged 62 years, is the

father of the main accused-Ajay Kumar, who is alleged to have swindled the complainants. He submits that the sole allegation against the petitioners is that the complainant handed cash amount of Rs.11,50,000/- in the presence of the petitioners, who had counted the currency notes and assured that work will be done. He submits that the petitioners are ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Sandeep Singh Deol, DAG, Punjab accepts notice on behalf of respondent-State.

List on 09.11.2021.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and are not required for any custodial interrogation and that they are not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioners are stated to have joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 29.07.2021 are hereby made absolute subject to the condition that the petitioners 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.

19.01.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No