

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

208

CRM-M-35748-2021

Date of Decision: 09.08.2022

Bholi Kaur @ Gurpreet Kaur

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. B.S.Bairagi, Advocate, for the petitioner.

Mr. H.S.Multani, AAG, Punjab,
assisted by ASI Satish Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against her vide FIR No.136 dated 01.11.2020 at Police Station Sadar Kotkapura, District Faridkot, under Sections 420/465/467/468/471/120-B IPC, wherein the allegations are broadly to the effect that the petitioner along with her brother, namely, Kashmir Singh had defrauded the complainant of an amount to the tune of Rs.9 lakhs on the pretext of sending the complainant abroad. It is alleged that the complainant was never sent abroad and that the ticket and the visa, which had been furnished to him, were found to be forged. Subsequently, the petitioner is stated to have handed over a cheque amounting to Rs.2,70,000/- to the complainant issued from the account of her brother Kashmir Singh, but when the same was presented in the Bank, it was dishonoured.

2. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case simply in order to pressurize her brother for returning the amount in question and that there is no evidence worth credence to connect her with the alleged offence. It has further been submitted that even the cheque in question stated to have been given to the complainant was issued from the Bank account of the co-accused Kashmir Singh and that the petitioner has nothing to do with the same.
3. Opposing the petition, learned State counsel has submitted that since the petitioner has been specifically named in the FIR and there are specific allegations leveled against her, no case for grant of anticipatory bail is made out. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that she is not involved in any other case.
4. Having regard to the facts and circumstances of the case particularly the fact that the petitioner is stated to have joined investigation and is not required for any custodial interrogation and otherwise is stated to have a clean record, the petition is accepted and the interim directions issued by this Court vide order dated 08.09.2021 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.

09.08.2022

Vimal

(GURVINDER SINGH GILL)**JUDGE**

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