

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

CRM-M-40892-2022

Date of decision : 20.12.2022

Nidhi

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Ms. Srishti Sharma, Advocate and
Mr. Gaurav Datta, Advocate
for the petitioner.

Mr. Jaiteshwar S. Bhandari, Asstt. Advocate General, Punjab.

Mr. Rakesh Gupta, Advocate
for the complainant.

PANKAJ JAIN, J. (ORAL)

On 8th of September, 2022, the following order was passed :-

“Apprehending her arrest in FIR No.92 dated 02.07.2022, registered under Sections 420 & 120-B of the IPC at Police Station Daresi, Ludhiana, petitioner seeks pre-arrest bail.

Counsel for the petitioner *inter-alia* contends that the amount for which the complainant alleges to have been duped was not been transferred to the account of the petitioner but to account of one Satwinder Singh. He further submits that in fact it is a case where there were talks of marriage which could not fructify.

Notice of motion 12.12.2022.

On the asking of the Court, Mr. Gurdarshan Singh Sidhu, Asstt. A.G., Punjab appears and accepts notice on behalf of the respondent-State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner

shall join the investigation. She shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

2. Today, Ld. State Counsel on instructions from ASI Sukhdev Singh submits that the petitioner has joined investigation and is no more required for custodial interrogation.

3. Ld. Counsel for the complainant vehemently opposed the prayer made by the petitioner and contends that the petitioner is part of a gang who are duping innocent people with the promise to settle them abroad by faking marriage. He submits that even after interim protection so granted by this Court on 8th of September, 2022 another FIR has come into existence wherein the petitioner has also been named as one of the accused(s). However, counsel for the complainant is not in position to controvert the plea raised by counsel for the petitioner that there is nothing on record to show that any amount was transferred to the account of the petitioner. The money transactions have been made to the account of one Satwinder Singh.

4. Without commenting on the merits of the case, in view of the facts and circumstances which are peculiar to the present case, order dated 8th of September, 2022 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.

5. The petitions stands disposed off.

December 20, 2022
Dpr

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No