

CRM-7166-2022 in/&
CRM-7175-2022 in/&
CRM-M-51230-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-7166-2022 in/&
CRM-7175-2022 in/&
CRM-M-51230-2021
Date of Decision :28.02.2022

Karamjit Kaur

..Petitioner

Versus

State of Punjab

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Dhivya Jerath, Advocate for the petitioner.
Mr. Sandeep Singh Deol, DAG, Punjab.
Mr. Kashish Garg, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

CRM-7166-2022

The present application has been filed for impleading the complainant as respondent No.2 in the present petition.

In view of the averments made in the application, the same is allowed.

Complainant-Chinder Kaur is impleaded as respondent No.2 in the present petition. Amended memo of parties is taken on record.

CRM-7175-2022

As prayed for, application is allowed.

Reply filed on behalf of complainant-respondent No.2 is taken on record.

CRM-M-51230-2021

Petitioner is seeking anticipatory bail in FIR No.93 dated 09.05.2021 registered under Sections 420, 465, 467, 468 and 471 of the IPC at Police Station Canal Colony, District Bathinda.

Learned counsel for the petitioner submits that the petitioner has joined investigation in terms of order passed by this Court on 20.12.2021. Order dated 20.12.2021 is as under:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.93 dated 09.05.2021 registered under Sections 420, 465, 467, 468 and 471 of the IPC at Police Station Canal Colony, District Bathinda.

Learned counsel for the petitioner argues that in the present case, the allegation of receiving money is not upon the petitioner but, the same is upon the other co-accused and the only allegation alleged against the petitioner is of providing a fake appointment letter to the complainant. Learned counsel for the petitioner submits that in somewhat similar allegations, where a sum of Rs.75 lacs was alleged to be paid to the petitioner, a Coordinate Bench of this Court has already extended the benefit of anticipatory bail to the petitioner.

Learned counsel for the petitioner further submits that the petitioner is an illiterate lady and the allegations with regard to providing of job on false pretext are yet to be proved during the course of trial and as nothing is to be recovered from the petitioner and she is also ready to join and cooperate in investigation, she may kindly be granted benefit of anticipatory bail

Notice of motion for 28.02.2022.

Mr. Sandeep Singh Deol, DAG, Punjab, who is present in the

Court accepts notice on behalf of respondent-State.

Learned State counsel submits that as

per the allegations alleged against the petitioner, a sum of Rs.3 lacs were paid in cash to the petitioner by the complainant, in lieu of which, a fake appointment letter was provided by the petitioner to the complainant. Learned State counsel does not dispute the factum that the petitioner in similar allegations has already been extended the benefit of anticipatory bail by a Coordinate Bench of this Court in another case involving similar controversy.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

As the allegations regarding payment of money to secure an appointment are yet to be proved against the petitioner during the course of trial and nothing is to be recovered from the petitioner as of now and in another case, involving similar controversy, a Coordinate Bench of this Court has already granted the concession of anticipatory bail to the petitioner, purpose of investigation will be achieved, in case, the petitioner is directed to join and cooperate in investigation.

The petitioner is directed to join the investigation forthwith. In the event of her arrest, she shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on her furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

(i) That she shall make himself available for interrogation by the police officer as and when required.

(ii) That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing the said facts to the Court or to any police officer.

(iii) That she shall not leave India without prior permission of the Court.

(iv) That she shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.

Learned State counsel, who has also joined the proceedings

through video conference, on instructions from ASI, Gursahib Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined investigation and she is not required for further interrogation, at this

In view of the above, the order dated 20.12.2021 passed by this Court granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

February 28, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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