

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

288

**CRM-M-31135-2023
Decided on : 20.10.2023**

Harjit Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

PRESENT: Ms. Jaspreet Kaur, Advocate
for the petitioner.

Mr. Rozer Kumar Aggarwal, AAG, Punjab

GURBIR SINGH, J. (ORAL)

1. This is 3rd petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 85 dated 30.08.2022, under Sections 420, 406, 468 and 471 of IPC, 1860, registered at Police Station Ghanie Ke Bangar, District Gurdaspur.

2. Vide order dated 18.07.2023, this Court had granted interim bail to the petitioner and directed him to join investigation.

3. Learned State counsel, on instructions from SI Amarjeet Singh submits that in compliance of order dated 18.07.2023, petitioner has joined investigation but no recovery has been effected from him.

4. Learned counsel for the petitioner submits that no amount was paid to the petitioner and moreover, all the allegation are against the husband of the petitioner and the petitioner has been unnecessarily dragged in.

5. Vide order dated 18.07.2023, the petitioner was granted interim bail which is as under:-

“Status report by way of affidavit of Sarvanjit Singh, PPS, Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala, on behalf of respondent-State, has already been placed on the file.

Learned counsel for the petitioner submits that petitioner is wife of Amarjit Singh, co-accused. The allegations have been made that amount was paid to him for sending person abroad. The amount, if any, was paid to Amarjit Singh and not to the petitioner who is his wife and not a single penny has been transferred through Bank or by draft or cheque. She is implicated in this case being wife of Amarjit Singh.

On the other hand, learned State counsel submits that amount was withdrawn from the Bank on different dates and then paid. There is also audio/video recording whereby money was paid to Amarjit Singh.

Since the petitioner is wife of Amarjit Singh, the main accused and there is no evidence against her except the oral statement that amount was paid to her as well. In the recording amount is not shown paid to her. Under these circumstances, the petitioner is directed to appear before the SHO/Investigating Officer as and when called to join investigation and in the event of her arrest, she shall be released on bail on her furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- (i) that the petitioner shall make herself available for interrogation before the investigating officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade her from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave the country without prior permission of the Court concerned.*

List on 28.08.2023.”

6. In view of the above order, the petitioner has joined investigation and nothing was paid to the petitioner and her custodial interrogation is not required, the order dated 18.07.2023 granting interim bail to the petitioner is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

7. Petition stands disposed of accordingly.

(GURBIR SINGH)
JUDGE

20.10.2023
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No