

CRM-M-45107-2023
Date of decision: 22.11.2023

....Petitioner

...Respondent

Present: Mr. Randhir Singh Thind, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in a case bearing FIR No.130 dated 09.06.2023 under Sections 420/465/467/468/471 of IPC registered at Police Station City Moga, District Moga (Annexure P-1).

On 12.09.2023, the following order was passed:-

‘Inter alia contends that it is the complainant son himself who later backed out to avail services of the petitioner for taking admission in an educational institution in Australia. However, prior to his change of mind, the petitioner had already remitted foreign exchange equivalent to Rs.7 lakh to an educational institute to establish the bona fides of complainant son to seek his student visa.

Learned counsel further contends that petitioner is a young 30 years old lady carrying out legitimate business of enabling young aspirants to obtain student visa and study abroad. He further submits that petitioner is willing to refund the money taken from complainant provided he extends cooperation to her to seek refund of educational fee which is currently deposited with an institute namely Victoria University, 16 Sussex St., Sydney NSW, Australia.

Notice of motion.

On advance service of copy of petition, learned State counsel appears and accepts notice on behalf of respondent-State of Punjab and seeks time to get instructions and file report with regard to antecedents of the petitioner.

Adjourned to 22.11.2023.

In the meanwhile, petitioner shall join investigation, as and when required by the Investigating Agency and subject to her reporting to the Investigating Officer within two weeks from today, no coercive steps qua arrest of the petitioner shall be taken. In case, her arrest is required to be caused, petitioner shall be released on bail by the Arresting Officer till the next date of hearing on her furnishing personal bonds to the satisfaction of Arresting Officer. Petitioner shall also abide by all the conditions as envisaged under Section 438 (2) Cr.P.C. '

Learned State counsel on instructions from ASI Sahib Singh, at the very outset informs the Court that the petitioner has joined the investigation and her custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 12.09.2023 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

22.11.2023
Neha

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