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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-53769-2022
Date of Decision: 03.02.2023

Amarjit Kaur Litt and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Atul Goyal, Advocate
for petitioner No.1.

Mr. Harjinder Singh Sidhu, AAG, Punjab.

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HARSH BUNGER J. (ORAL)

The present petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to petitioner No.1 (as per order dated 20.12.2022, passed by this Court) in case FIR No.74 dated 20.10.2022, under Sections 120-B, 420, 467, 468 and 471 IPC, registered at Police Station City Raikot, District Ludhiana Rural.

On 20.12.2022, the following order was passed by this Court :-

"*Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.74 dated 20.10.2022, under Sections 120-B, 420, 467, 468 and 471 IPC, registered at Police Station City Raikot, District Ludhiana Rural.*

At the very outset, learned counsel for the petitioners submits that as Ms. Charanjeet Kaur (petitioner No.2) has been arrested during pendency of the instant petition, therefore, he does not press this petition qua petitioner No.2.

Learned counsel for the petitioners further submits that

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petitioner No.1 is a senior citizen of around 74 years of age and she has been falsely implicated in the present case as neither she is running any travel agency nor she has any share in the alleged Waheguru Travel Agency. Learned counsel further submits that petitioner No.1 is not related, in any manner whatsoever, with the amount alleged to be paid by the complainant to one Hannu Singh, and allegations pertain to the Firm/Agency of said Hannu Singh. It is submitted that there is also no documentary proof to connect petitioner No.1 with the alleged offence. It is further submitted that petitioner No.1 has neither ever visited the said Travel Agency nor she ever assured the complainant to send her to Canada. It is stated that there is unexplained delay of 110 days in registration of the instant FIR. Learned counsel further submits that petitioner No.1 is ready and willing to join the investigation.

Learned State counsel opposes the bail plea of petitioner No.1, keeping in view the nature and gravity of the offences.

List on 03.02.2023.

In the meanwhile, in the event of arrest of petitioner No.1, she shall be released on ad interim bail to the satisfaction of the Investigating/Arresting Officer. However, she shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C."

Learned counsel for petitioner No.1 submits that pursuant to the aforesaid order, petitioner No.1 has joined the investigation. He further submits that even co-accused, namely Charanjeet Kaur, has been granted regular bail.

Learned State counsel, on instructions from Assistant Sub Inspector Baljinder Singh, has not disputed the aforesaid fact of joining the investigation by petitioner No.1. It is also not disputed that co-accused

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(Charanjeet Kaur), has been granted regular bail.

Heard learned counsel for the parties.

Since petitioner No.1 has joined the investigation and even co-accused, namely Charanjeet Kaur, has been granted the concession of regular bail, accordingly order dated 20.12.2022, passed by this Court, is made absolute.

However, petitioner No.1 shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that if petitioner No.1 fails to comply with any of the directions issued above and the bail conditions, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to petitioner No.1.

Present petition is accordingly disposed of.

03.02.2023 **(HARSH BUNGER)**
Apurva **JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No

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