

(201)

2023:PHHC:090727

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54764 of 2022

Date of Decision: July 19, 2023

Jaswinder Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gopal Singh Nahel, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.188 dated 01.12.2021 registered under Sections 383, 384, 120-B IPC and Section 67 of IT Act, 2000 at Police Station City-I, Mansa, District Mansa.

On 24.11.2022, the following order was passed by this Court:-

“The petitioner has filed this petition seeking grant of anticipatory bail in case FIR No.188 dated 1.12.2021 under Sections 383, 384, 120-B of the IPC and Section 67 of the IT Act, 2000 registered at Police Station City-I, Mansa, District Mansa.

Learned counsel for the petitioner, inter alia, submits that as per the story of the prosecution, co-accused Rani Kaur alongwith other coaccused honey trapped the complainant and extorted an amount of Rs.3.00 lakhs from

him. Co-accused Krishan Chand was arrested in this case and mobile which was allegedly used for recording the occurrence has been recovered from him. The imposition of Section 67 of the IT Act is debatable issue. Learned counsel submits that the petitioner has not been named in the FIR. The petitioner is sought to be implicated only on the basis of disclosure statement made by co-accused- Rani Kaur who has already been granted anticipatory bail by Additional Sessions Judge, Mansa vide its order dated 10.12.2021 (Annexure P-3). Nothing is to be recovered from the petitioner. The petitioner is already ready and willing to join the investigation. Notice of motion. On the asking of this Court, Mr. J.P.Ratra, Sr.DAG, Punjab accepts notice on behalf of the respondent-State. He seeks time to have instructions.

At this stage, Amit Rana, Advocate appears and files Vakalatnama on behalf of the complainant. Office to tag the same at the appropriate place of the petition.

Adjourned to 03.3.2023.

In the meanwhile, the petitioner will join investigation and appear before the Investigating Officer within 10 days from today at the aforesaid Police Station. On doing so, the petitioner shall be released on interim anticipatory bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However,

the petitioner shall continue to join investigation as and when called for and shall abide by the conditions as provided under Section 438(2) of the Cr.P.C.”

Today, on instructions from HC Pardeep, it is informed by learned State Counsel that petitioner has joined the investigation and the petitioner is no longer required for further investigation.

In view of the afore-said statement, order dated 24.11.2022 granting interim anticipatory bail to the petitioner, is hereby made absolute.

Disposed of.

July 19, 2023

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(DEEPAK GUPTA)
JUDGE

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