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

**CRM-M-53183-2023 (O&M)
Date of decision : 19.12.2023**

Jeevanjot Kaur

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Shivam Joshi, Advocate,
for Mr. Rahul Sharma, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
assisted by SI Rakesh Kumar.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.158 dated 12.09.2023, under Section 420 & 406 read with Section 34 of the Indian Penal Code, 1860; and Section 24 of the Immigration Act; registered at Police Station, Garhshankar, District Hoshiarpur.

2. Allegations are that petitioner along with her co-accused duped the complainant of Rs.1,20,000/- on the pretext of sending him abroad.

3. This Court, on 07.11.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter alia that petitioner is merely an employee of the main accused, namely, Harjit Singh and there is no other criminal case pending against her.

Notice of motion.

On asking of the Court, Mr. C.L.Pawar, Addl. A.G., Punjab accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

*Posted for **19.12.2023**.*

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit her to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and her custodial interrogation is not required.
5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.
6. In view of above, interim order dated 07.11.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending application(s), if any, shall also stand disposed off.

19.12.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No