

N.C. No.2024:PHHC:027946

IN THE HIGH COURT OF PUNJAB & HARYANA

AT CHANDIGARH

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CRM-M-2528-2024(O&M)

Date of decision: 28.02.2024

GURMIT KAUR

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Umaid Singh Mann, Advocate for the petitioner(s).

Mr. Harpreet Singh, Additional AG Punjab.

SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
57	17.11.2023	420, 120-B of IPC; 13 of Punjab Travel Professionals (Regulation) Act, 2014	Mattewal, Amritsar Rural

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 07.02.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions from ASI Kuldeep Singh has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor she is required for further investigation.
4. Heard.
5. During the course of hearing on 07.02.2024, the following order was passed:-

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely

implicated in this case. He further contends that the role attributed to the petitioner is simply that of introducer, who got the complainant introduced to one Jagir Singh, who was consultant to assist the complainant for sending her son abroad and for that purpose, amount of Rs.5,40,000/- was deposited by husband of the complainant in the account of the petitioner. He submits that although the amount was paid to Jagir Singh by the petitioner but unfortunately he has expired. To show his bona fide, the petitioner has already paid amount of Rs.2,59,000/- and is ready to pay the balance amount of Rs.2,81,000/- to the complainant. He has also placed on record copy of cheque of Rs. 2, 81,000/- in this regard.

3. In view of these circumstances, without commenting on the merits of the case, the petitioner is directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer and subject to his undertaking that he will pay amount of Rs.2,81,000/- to the complainant as stated by learned counsel for the petitioner at bar. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

4. List on 28.02.2024.”

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 07.02.2024 passed by this Court, interim bail granted vide order dated 07.02.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

28.02.2024

S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No