



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-18600-2024 (O&M)
Date of Decision:-28.8.2024

Kamaljeet Kaur and another ... Petitioners
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jivtesh Singh Nagi, Advocate for the petitioner.
Mr. Siddharth Attri, AAG, Punjab,
assisted by ASI Harmesh Singh.
Mr. Vishavdeep Singh Rana, Advocate for the complainant.

FIR No.	Dated	Police Station	Section/s
09	24.2.2024	Cheema, Sangrur	420, 406 and 120-B of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioners seeking grant of anticipatory bail in respect of aforementioned FIR.
2. At the time of issuance of notice of motion, the following order was passed on 18.4.2024:

“The petitioners seek grant of anticipatory bail in respect of a case registered against them vide FIR No. 09, dated 24.2.2023, Police Station Cheema, Sangrur, under Sections 420, 406 and 120-B IPC.

The FIR was lodged by Lado Devi alleging therein that Kamaljeet Kaur, Tarsem Singh, Sanjna and Sandeep Kumar had defrauded her. It is alleged that Kamaljeet Kaur, her husband Tarsem Singh and their daughter Sanjna in connivance with each other took complainant



Laddo Devi in confidence and they got engaged complainant's daughter Sanjna to Amit Kumar son of complainant as Sanjna did IELTS and she wanted to go to abroad. At that ceremony, an amount of Rs.1100/-, a pair of silver anklet and one gold ring were given Sanjna as "Shagun". Some funds were required to be shown in the bank account of accused at the time of sending Sanjna abroad. Accused are alleged to have taken Rs.20 Lacs from complainant by executing agreement to sell by Kamaljeet Kaur. Later on the accused demanded another amount i.e. Rs.18 Lacs. However, the complainant refused to pay more money and on that accused Kamaljeet Kaur, Tarsem Singh and Sanjna in connivance with each other and with fraudulent intention refused to return amount of Rs.20 Lacs and the articles of Shagun.

Learned counsel submits that it is a case where an arrangement between the two families regarding marriage of their children could not materialize and some differences had cropped up which led to filing of the instant FIR and that there is no intention or any element of cheating in the entire arrangement which had taken place.

Notice of motion for 28.08.2024.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Harmesh Singh, has informed that pursuant to interim directions, the petitioners have since joined investigation, but an amount of Rs.20 lakhs is yet to be recovered.
4. Having considered the facts and circumstances of the case particularly the fact that the petitioners have already joined investigation, their custodial



CRM-M-18600-2024 (O&M) (3)

interrogation is not justified. The mere fact that some amount is yet to be recovered cannot be made a ground for dismissing the anticipatory bail.

5. The instant petition, as such, is accepted and the interim directions issued by this Court vide order dated 18.4.2024 are hereby made absolute, subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

28.8.2024
Geeta

(Gurvinder Singh Gill)
Judge

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