



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-24969-2024
Date of decision: 27.08.2024

SIMRAN PREET KAUR ...PETITIONERS

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Jagjot Singh, Advocate
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

Mr. Anureet Singh Sidhu, Advocate for the complainant.

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
09	13.04.2024	406, 420, 120-B of IPC.	NRI, Sangrur, Punjab.

2. Learned counsel for the petitioner submits that in compliance to the order dated 31.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 31.05.2024 .
3. Learned State counsel, on instructions received from ASI Varinder Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.



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4. Learned counsel for the complainant opposed the submissions made by learned counsel for the petitioner.

5. During the course of hearing on 31.05.2024, following order was passed:

“ 2. It is inter alia contended that the complainant could not go abroad on account of the refusal of VISA by the concerned authorities as is evident from Annexure P-3 to P-5.

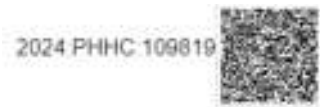
3. Learned counsel for the petitioner contends that the petitioner is having no criminal antecedent and is ready to join the investigation.

4. Per contra, learned State counsel assisted by learned counsel for the complainant has opposed the bail by submitting that the petitioner has cheated the complainant and intentionally defrauded by not getting him the requisite VISA to go abroad, hence, she is not entitled to bail.

5. After considering the rival contentions and perusing the record and without commenting on the merits of the case, it is deemed appropriate that the petitioner should join the investigation first before deciding the petition on merits. Accordingly, the petitioner is directed to join the investigation within seven days from today and in the event of her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

6. List on 31.07.2024.”

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 31.05.2024 passed by this Court, interim



bail granted vide order dated 31.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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 petitioners; 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.
8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

27.08.2024
kanika

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No