



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

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**CRM-M No.30665 of 2024
Date of decision: 03.10.2024**

JASWANT KAUR**.... Petitioner**

Versus

STATE OF PUNJAB**.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Gurmej Singh Bhinder, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed under Section 438 of Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.61 dated 10.04.2024 under Sections 420, 120-B of IPC registered at Police Station Dharmkot, District Moga.
2. Vide order dated 17.07.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 17.07.2024, passed by this Court, reads as under:

“Through the instant petition, prayer is made for grant of anticipatory bail to the petitioner in case arising out of FIR No.61 dated 10.04.2024 under Sections 420, 120-B of IPC registered at Police Station Dharmkot, District Moga on the basis of written complaint filed by the complainant – Kashmir Singh alleging therein that the accused Nirmal Singh induced him to send his nephew and one Parveen to Canada and also assured them to arrange work permit for them. The accused-Nirmal Singh demanded from them a sum of Rs.30 Lakhs. On 18.02.2019, the complainant had deposited sum of Rs.3,90,000/- in the bank account of accused-Nirmal Singh and thereafter, money was deposited in his bank account from time

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to time and in this manner, he parted with sum of Rs.10,70,000/- till the year 2019 but no work permit or visa was provided to his nephew. The petitioner was got introduced by Nirmal Singh to the complainant as an Advocate who practising at Delhi and then both of them induced him to pay a sum of Rs.1,30,000/- to them. He alleged that fake documents were given to him by the accused Nirmal Singh without providing any visa. His passport and money had also not been returned. He prayed for taking action against the culprits.

After registration of FIR, investigation proceedings have been initiated and are underway. The petitioner apprehending his arrest had moved an application before the learned Additional Sessions Judge, Moga for grant of concession of anticipatory bail which was dismissed vide order dated 20.06.2024.

It is argued by learned counsel for the petitioner that the coaccused Nirmal Singh had transferred an amount of Rs.1,30,000/- in the bank account of the complainant. The present petitioner had not received any amount of money from the complainant nor she had made any representation to him that she would be sending the family member of the complainant abroad. She is old aged lady suffering from several ailments. She has been implicated in this case only because of the fact that co-accused Nirmal Singh is his son-in-law. She is ready to join the investigation. Her custodial interrogation is not required. Hence, it is argued that petition deserves to be allowed. Learned State counsel seeks some more time to file status report in the matter

Adjourned to 02.09.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to

his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 22.07.2024, however, she resisted the grant of benefit of anticipatory bail to the petitioner by submitting that the petitioner is having criminal antecedents and one more case of similar nature is pending against her. Her custodial interrogation in this case is not required.
4. Keeping in view the above mentioned facts and circumstances but without commenting on the merits of the case, the present petition is allowed and the order dated 17.07.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

03.10.2024

Jyoti-IV

(MANISHA BATRA)

JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No