



CRM-M- 35631-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M- 35631-2024
Date of decision: 29.08.2024

Davinder KaurPetitioner.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Paramjit Singh Bal, Advocate,
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

Status report dated 28.08.2024 filed in the form of affidavit of Deputy Superintendent of Police, City-2, SAS Nagar, on behalf of respondent-State, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS), the petitioner seek anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
267	16.12.2014	419, 420, 465, 466, 467, 468, 471 and 120-B IPC	Sohana District SAS Nagar



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3. Learned counsel for the petitioner submits that in compliance to the order dated 06.08.2024, the petitioner has joined the investigation.

4. During the course of hearing on 06.08.2024, following order has been passed: -

'2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner is not having any criminal antecedents and is a lady aged about 53 years but has been falsely implicated in this case by the police without any substantive evidence. He contends that the name of the petitioner did not figure in the instant FIR but has been nominated in the present case registered way back in 2014, only on the disclosure statement of the co-accused, namely Surmukh Singh, on the flimsy grounds that the petitioner had handed over the cheques to him. He further contends that the petitioner is not the beneficiary of such transaction and is ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from ASI Om Parkash, does not dispute the factual matrix of the case. Said ASI Om Parkash, who is also the investigating officer of the case has categorically admitted that the petitioner is not the beneficiary of the transaction. Learned State counsel prays for time to file the status report/reply in the matter.



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5. *Adjourned to 29.08.2024.*
6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*
7. *In the meanwhile, the petitioner is hereby directed to join 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. '*

5. Learned State counsel, on instructions received from ASI Om Parkash, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

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 06.08.2024 passed by this Court, interim bail granted vide order dated 06.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 2023 (BNSS) 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.
- 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.

29.08.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |