

211 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-44514-2023 (O&M)
Date of Decision: 09.01.2024

Urvashi Sharma Petitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab
assisted by ASI Avtar Singh.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.03 dated 13.01.2022, under Sections 406, 420 & 120-B IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station, Goraya, District Jalandhar Rural.

2. Allegations in brief are that petitioner in connivance with co-accused received a sum of Rs.6,20,000/- from the complainant for sending his son, namely, Sarwan Singh to Canada, but neither he was sent abroad; nor the money was returned.

3. A Coordinate Bench of this Court vide order dated 06.09.2023, granted interim bail to petitioner and the same reads as under:-

“Notice of motion.

*Mr. Ramdeep Partap Singh, Senior DAG, Punjab accepts
notice on behalf of State of Punjab.*

Adjourned to 18.12.2023.

*In the meantime, the petitioner is directed to join the
investigation and to co-operate fully with the investigation process*

and on her doing so, the petitioner be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, she joined investigation and her custodial interrogation is not required by the Police.

5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required, at this stage.

6. In view of above, interim order dated 06.09.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

9. Disposed off accordingly.

10. Pending criminal misc. application(s), if any, shall also stand disposed off.

09.01.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

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