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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-59429-2024

Date of Decision: 05.12.2024

Nisha Rani

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Gurcharan Dass, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant anticipatory bail to her in case FIR No.06 dated 04.04.2024, registered under Section 420 of IPC and Section 24 of Emigration Act, 1983, at Police Station NRI Ludhiana (Rural).

2. Learned counsel for the petitioner contends that the FIR in the present case has been registered on the basis of the complaint received from Embassy of India, Muscat and till date, no written complaint has been made by any person against the petitioner, alleging anything against her. Learned counsel further contends that the petitioner had neither worked as recruiting agent nor as a travel agent. In fact, she has working as a maid and cooks food at the house of some one. Even she had never cheated any person nor any person was sent

abroad by her. Learned counsel further contends that only on the basis of vague averments, the FIR has been registered in the present case.

3. On the other hand, status report by way of an affidavit of Deputy Superintendent of Police, NRI Wing, Ludhiana has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and she does not deserve the concession of bail by this Court.

4. I have heard learned counsel for the parties and perused the record.

5. Learned State counsel has already admitted that the FIR has been registered on the basis of a complaint received from Embassy of India, Muscat and no specific complaint has been received against the petitioner so far.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and she shall abide by the conditions mentioned in Section 482(2) of BNSS.

(N.S.SHEKHAWAT)
JUDGE

05.12.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No