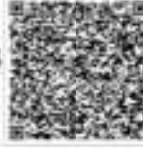


2024.PHHC:159843



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

SR. No.105

CRM-M-60227-2024
Date of decision:02.12.2024

Jyoti Bala

...Petitioner

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Sumit Dua, Advocate for the petitioner.

N.S. SHEKHAWAT, J.

1. Petitioner prays for grant of pre-arrest bail in FIR No.170 dated 05.08.2024 registered under Sections 419/420/120-B IPC and Section 12 of the Passport Act, 1967 at Police Station Division No.6, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been falsely involved in the present case and even from the allegations levelled by the complainant, no offence, as alleged, is made out against her. He next submits that in fact the complainant had received a sum of Rs.12 lakhs from the petitioner to send her abroad and the complainant had given one writing to the petitioner and she also admitted that she had received a sum of Rs.12 lakhs out of total settled amount of Rs.15 lakhs to send the petitioner to Canada. The complainant also admitted that she had received a passport, PAN Card and other educational documents from the petitioner and had also signed the blank cheques for the security purpose. Learned counsel also contends that the entire case is based on documentary evidence and the custodial interrogation of the petitioner may not be required in the peculiar facts and circumstances of the present case. Learned counsel has further placed reliance on the order (Annexure P-4) passed by this Court, whereby similarly placed co-accused, namely, Deepak Kumar Joshi has been granted the concession of anticipatory bail.

3. On an advance notice, learned State counsel, who is assisted by Mr. Jitender Singh Dadwal, Advocate, learned counsel for the complainant, have vehemently opposed the submissions made by the learned counsel for the petitioner on the ground that the documents relied upon by the petitioner are forged and fabricated and the petitioner was actively involved with the main accused, i.e. Deepak Kumar Joshi. However, learned State counsel has submitted that the petitioner may be directed to join the investigation and also to coopeate with the investigating agency.

4. This Court has heard the learned counsel for the parties at length and perused the case file.

5. In the present case, it is not in dispute that the principal accused, namely, Deepak Kumar Joshi has already been granted the concession of anticipatory bail. Moreover, the entire case is based on documentary evidence and most of the documents have already been collected by the investigating agency. Thus, in the considered opinion of this Court, the custodial interrogation of the may not be required in the present case.

6. In view of the above, the present petition is allowed and in the event of arrest, the petitioner shall be released on bail subject to furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when the required and shall abide by the conditions subject to the conditions envisaged under Section 438 (2) Cr.P.C./482 (2) of BNSS, 2023.

02.12.2024

mks

(N.S. SHEKHAWAT)
JUDGE

Whether Speaking/Reasoned:	YES / NO
Whether Reportable:	YES / NO