



CRM-M-50-2025 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

234 CRM-M-50-2025 (O&M)
Date of Decision: 07.02.2025

Gurpreet KaurPetitioner
Versus
State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. V. K. Dhariwal, Advocate, for the petitioner.
Mr. Rishabh Singla, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.197 dated 10.12.2024 under Sections 420 & 120-B of the Indian Penal Code, 1860, registered at Police Station Canal Colony, Bathinda, Punjab.
2. On 07.01.2025, the following order was passed:-

“XX XX XX XX

Learned counsel for the petitioner, inter alia, contends that the FIR (supra) has been registered after a delay of 930 days. The petitioner is neither beneficiary of the alleged fraud nor is involved in the conspiracy as alleged. The petitioner is a household lady and the maximum sentence provided for the offences, under which the FIR (supra) is registered, is punishable upto 07 years. No notice under Section 35 of BNSS [erstwhile Section 41-A of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.')] has been served upon the petitioner.

Notice of motion for 07.02.2025.

Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR



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(Criminal) 833, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of Cr.P.C.).

If the Arresting Officer does not permit the petitioner to join the investigation, she would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

3. Learned State counsel on instructions from ASI Jaswant Singh, at the very outset, informs the Court that the petitioner has joined the investigation and her custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 07.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

07.02.2025

anil

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