

**CRM-M-21892-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr. No.213****Case No. : CRM-M-21892-2025****Decided On : May 26, 2025**

Amarjit Kaur @ Shawinder Kaur
@ Sawinder Kaur Petitioner
vs.

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Amit Jaiswal, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab.

Mr. Akash Yadav, Advocate
for the complainant.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.58 dated 22.03.2025, under Sections 408, 380 IPC, registered at Police Station Phagwara, District Kapurthala.

As per the story of the prosecution, it has been alleged in the FIR that the petitioner was an employee in the hospital of complainant for the last 20 years. She used to deal with cash and purchase of articles for the hospital. Complainant was suspecting that some misappropriation was going on. When the complainant's efforts failed to catch hold the culprit through CCTV etc., he got installed a secret camera and in that camera, petitioner was captured while stealing money on 08.06.2024. When the petitioner confessed to have stolen money for the last 15 years and having



purchased three houses out of misappropriated amounts of the complainant, the Panchayat intervened and the petitioner agreed to return money and execute sale deed in favour of the complainant for one of her houses. However, when she retracted from her statement, the FIR in question was got registered.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. She had been working with dedication for the complainant for the last more than 20 years. He urged that there is long delay in lodging the FIR as according to the complainant, the petitioner was caught red-handed on 08.06.2024 and FIR was lodged on 22.03.2025. He submitted that the petitioner is not required for any interrogation and she is ready and willing to join investigation. He has, therefore, prayed that the petitioner be granted concession of anticipatory bail.

Notice in this case was issued on 25.04.2025 and Status Report was called from the State, which has been filed on the last date of hearing.

Learned State counsel vehemently opposed the present bail petition while contending that the allegations levelled against the petitioner are grave in nature. She, not only embezzled the hard-earned money of the complainant but also cheated him by promising to give his money back and to execute sale deed of a house in his favour and then retracting from it. He contended that her custodial interrogation is required for fair and proper investigation as she has not joined the investigation yet. The case is still under investigation. So, she does not deserve concession of anticipatory bail.



Heard.

As per the allegations in the present FIR, the petitioner, while working as an employee in the hospital of the complainant, committed theft of huge amounts on many occasions spreading over the years. There is considerable delay on part of complainant in informing the matter to police and there is also delay in registration of FIR. The petitioner is not having any criminal antecedents and no other criminal case has been registered against her. Custodial interrogation of the petitioner is not required for any purpose and no useful purpose would be served by sending her behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, 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. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations recorded above are only for the purpose of deciding the present bail petition.

May 26, 2025
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(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned ?	Yes/No.
Whether reportable ?	Yes/No.