



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21582-2025
DECIDED ON: 24.04.2025

HARWINDER KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Balkar Singh, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 of Bhartiya Nagarik Suraksha Sanita, 2023 for grant of anticipatory bail to the petitioner in FIR No. 0200 dated 30.12.2024 registered under Sections 406, 420 of IPC and section 13 of Punjab Travel Professional (Regulation) Act, 2014, Police Station Cantt Jalandhar, District Police Commissionerate Jalandhar.

2. Brief facts of the present case unfolds as under:-

“That the complainant Ranjodh Singh son of Bahadur Singh has moved a complaint to the Commissioner of Police, Jalandhar against five accused namely Balkar Singh working in PAP Jalandhar, Kuldip Kaur wife of Balkar Singh, Lovejot Kaur daughter of Balkar Singh, Harwinder Kaur (accused/ applicant) as well as Sandeep Kaur in conspiracy with each other in regard to cheating with his son Sahibjot Singh and daughter Jaspreet Kaur

for sending them to abroad i.e. Canada on work permit by way of cheating to the tune of Rs. 18,15,220/-. On the basis of complaint, inquiry was conducted and police has got registered the case against four persons including the accused/applicant in regard to cheating to the tune of more than Rs. 18 Lacs for offence under Section 406, 420 of IPC and under Section 13 of Punjab Travel Professionals (Regulation) Act.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner places reliance on an affidavit executed by co-accused Sandeep Kaur, the wife of Gurwinder Singh and sister-in-law (nanad) of the present petitioner, wherein it is deposed that she alone is responsible for the entire transaction and the alleged offence mentioned in the present FIR. She further clarifies that the bank account of the petitioner was used at her request, while the mobile phone number involved is registered in her (Sandeep Kaur's) name.

It has been further contended on behalf of the petitioner that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer concerned.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jaspal Singh Guru, AAG, Punjab accepts notice on behalf of the respondent-State, who seeks dismissal of the instant petition on the ground that the said affidavit is not in the knowledge of the investigating officer so far and actually Rs.6 lacs was

credited to the account of the present petitioner and, therefore, is not entitled to any concession before this Court especially anticipatory bail.

4. **Analysis**

Be that as it may, having regard to the facts and circumstances as has been unfolded before this Court and the fact that an affidavit has been duly executed by the main accused namely Sandeep Kaur stating that only the bank account was in the name of the present petitioner which has been used by Sandeep Kaur that too with her mobile phone alone. Therefore, the amount credited to the account of present petitioner would not make her *prima facie* liable for custodial interrogation.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

24.04.2025

Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No