



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-32875-2024
Date of decision: 03.02.2025

KANIKA AGGIPetitioner

Versus

STATE OF PUNJABRespondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Shubreet Kaur, Advocate and
Mr. Vikas Bali, Advocate
for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

Mr. Manjot Singh, Advocate for
Mr. Vishal Aggarwal, Advocate for the complainant.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
0085	05.06.2024	406, 420, 120-B IPC	Division 5, Police Commissionerate, Ludhiana

2. Learned counsel for the petitioner submits that in compliance
to the order dated 12.07.2024, the petitioner has joined the investigation.
3. During the course of hearing on 12.07.2024, following order
had been passed: -

“ Apprehending her arrest the petitioner has filed this
petition under Section 438 Cr.P.C. for grant of anticipatory
bail in case bearing FIR No.0085 dated 05.06.2024 under
Sections 406, 420, 120-B IPC, registered at Police Station
Division 5, Police Commissionerate Ludhiana.



2. *Learned counsel for the petitioner inter alia submits that it is alleged that petitioner along with co-accused had usurped a sum of Rs.1.5 to 2 crores of the complainant, his relatives, friends and acquaintances on the pretext that the invested amount will be double within a period of 10 months. She also submits that petitioner has not been named in the FIR and only the husband of the petitioner and co-accused Archit Arora were named in the FIR and co-accused Archit Arora was declared innocent during investigation.*

3. *Learned counsel for the petitioner further submits that petitioner has no role in the alleged offence and she has been falsely implicated in present case. Petitioner is a mother of two minor children and is a household lady and there is no other criminal case pending against her.*

4. *Notice of motion for 14.10.2024.*

5. *Mr. Randhir Singh Thind, DAG, Punjab waives service of notice on behalf of the respondent-State and seeks time to file reply.*

6. *In the meantime, petitioners shall appear before the learned Trial Court and the learned Trial Court in the event of her arrest shall admit her to interim bail subject to its satisfaction regarding the bail and surety. She shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-*

1) *That the petitioner shall make herself available on the hearings before the learned Trial Court.*

2) *That the petitioner 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.”*

4. Learned State counsel on instructions received from S.I. Dharampal informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Learned counsel for the complainant has opposed the bail application by arguing that the petitioner is the main accused and his



custodial interrogation is required for recovering the amount in question and that the bail application of the co-accused already stands dismissed by the learned Co-ordinate Bench vide order dated 24.09.2024.

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 12.07.2024 passed by this Court, interim bail granted vide order dated 12.07.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) of BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

03.02.2025
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(SANJIV BERRY)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No