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

CRM-M-30930-2025

Date of decision: 04.07.2025

Sarabjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. B.B.S. Randhawa, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.274 dated 23.09.2022 under Sections 406/420/120-B of IPC and Section 13 of Punjab Travel Professional (Regulation) Act registered at Police Station Rama Mandi, District Jalandhar (Annexure P-1).

On 29.05.2025, the following order was passed:-

'The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail to the petitioner in case bearing FIR No.274 dated 23.09.2022 under Sections 406/420/120-B of IPC and Section 13 of Punjab Travel Professional (Regulation) Act registered at Police Station Rama Mandi, District Jalandhar (Annexure P-1).

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the present case and she is not the beneficiary of Rs.2.50 lakh, paid by the complainant on the pretext of sending him abroad. There is no transaction which has taken place between the complainant and the petitioner and there is delay of one year in lodging the present FIR. He further submits that the petitioner is a household lady and has been falsely implicated in the present case. Moreover, the maximum sentence under which the FIR was lodged is punishable upto 07 years and no notice under Section 35 of BNSS (earlier Section 41-A of Cr.P.C.) has been served upon the petitioner.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl.A.G.,



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Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

*In the meantime, keeping in view the 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 (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on her doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).*

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

Adjourned to 04.07.2025.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.'

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

In view of the statement of learned State counsel, order dated 29.05.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

04.07.2025

Neha

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