



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

105

CRM-M-36060-2025

*Date of decision: 11.07.2025***Baldish Kaur***.....Petitioner**Versus***State of Punjab***.....Respondents***CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Kanwaljeet Singh Brar, Advocate for the petitioner.

Mr. J.S. Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)**1. Relief sought**

The jurisdiction of this Court has been invoked under Section 482 BNSS seeking pre-arrest bail in case FIR No.109 dated 16.05.2025 under Sections 143,318(4),61(2) of BNS and Section 13 of Punjab Travel Professionals Act, 2018 and Section 140(2) of BNS, 2023 (Added later on) registered at P.S. Model Town, District Hoshiarpur.

2. Contention**On behalf of the petitioner**

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case as she is neither named in the FIR nor is having any connection with the alleged accused mentioned in the FIR and her name has only surfaced in the supplementary statement suffered by one co-complainant Narinder Kaur. It is submitted that another case bearing DDR No.18



dated 01.06.2025 is registered at PS Kharar against the petitioner in order to wreak vengeance by the D.S.P. Gursher Singh, who has been suspended after aspersions were raised against his conduct by the petitioner. There is no direct evidence or any material evidence on record to demonstrate that the amount to the tune of Rs.18 lacs has ever been given to the present petitioner to send the son of the complainant abroad.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. J.S. Rattu, DAG, Punjab accepts notice on behalf of the respondent-State and opposes the prayer on the ground that the petitioner along with other co-accused has duped the complainant of lakhs of rupees on the pretext of sending the son of the complainant to Australia.

3. **Analysis**

In the light of aforesaid discussion and taking note of the fact that petitioner was not named in the FIR nor there is any direct evidence or any material evidence on record to establish that the amount to the tune of Rs.18 lacs has ever been given to the present petitioner and her name only surfaced in the supplementary statement; there are no specific allegations against the petitioner and also the fact that custodial interrogation of the petitioner is not required at this stage as nothing is to be recovered from him.

4. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of 10 days from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the



bars. 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 ten days and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

11.07.2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No