



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-44878-2023
Date of decision: 12.03.2025

APINDER KAURPETITIONER

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. P.S. Dhaliwal, Advocate
for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

Mr. Gaurav Garg Dhuriwala, Advocate
for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C.,
petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
140	25.07.2023	420, 467, 468, 471, 120-B of IPC and 13 of Punjab Travel Professional (Regulation) Act and 24 of Immigration Act.	Lehra, District Sangrur.

2. Learned counsel for the petitioner submits that in compliance to the order dated 11.12.2023 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 11.12.2023.
3. Learned State counsel, on instructions from DSP Deepinder Singh, who is present in Court, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.



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4. Learned counsel for the complainant has opposed the bail application by arguing that the petitioner is not entitled to concession of bail considering the serious nature and gravity of offence and moreover, one more FIR is pending against the present petitioner.

5. During the course of hearing on 11.12.2023, following order was passed:

“ Learned counsel for the petitioners in pursuance to the order dated 01.12.2023, has brought a demand draft bearing No.612778, dated 04.12.2023, amounting to Rs.2.00 lakhs, drawn at Canara Bank, in favour of the Registrar General, Punjab and Haryana High Court and has prayed for referring the matter for mediation.

2. Learned counsel for respondent no.2/complainant has been apprised about this fact and he has consented regarding the matter to be referred for mediation and he has no objection that if, in the meanwhile, interim relief is granted to the petitioners.

3. Learned State counsel faced with this situation has stated that in the meanwhile, petitioners may be asked to join investigation.

4. The original demand draft is returned to learned counsel for the petitioner, by retaining a photocopy thereof on the record and he is directed to deposit the same in the Registry of this Court in accordance with law.

5. In the meanwhile, the parties are directed to appear before the Mediation and Conciliation Centre of this Court on 20.12.2023 at 10:30 A.M.

6. The petitioners are directed to join the investigation and in the event of arrest of the petitioners, they are ordered to be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating



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Officer. They shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

7. To await report of learned Mediator, adjourned to 07.02.2024.

8. A photocopy of this order be placed on the file of the connected case.”

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 11.12.2023 passed by this Court, interim bail granted vide order dated 11.12.2023 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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; she 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.

(SANJIV BERRY)
JUDGE

12.03.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |