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

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CRM-M No.48183 of 2024

Date of decision: 19.03.2025

Baljinder Kaur alias Dimple

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Lupil Gupta, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The instant one is the third petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") as filed by the petitioner for grant of pre arrest bail in case arising out of FIR No.94 dated 03.08.2022 registered under Sections 420, 406 and 120-B of IPC at Police Station Sadar Sangrur, District Sangrur. The first petition bearing CRM-M No.40833 of 2022 had been dismissed as withdrawn vide order dated 07.09.2022. The second petition bearing CRM-M No.46236 of 2022 had been disposed of vide order dated 25.04.2024 by observing that on receipt of notice under Section 41-A of Cr.P.C. from the investigating agency, the petitioner shall join the investigation.

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2. The facts relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of a complaint lodged by the complainant Paramjit Kaur on the allegations that Sahib Singh, brother of the complainant wanted to settle abroad after getting married to some girl having passed IELTS course. The petitioner who was acquainted with the complainant had induced her to get her daughter engaged with the brother of the complainant and to incur expenses for sending her to Canada by promising that her daughter would call the brother of the complainant to Canada. The family of the complainant had agreed. Both parties had opened a joint account in the name of daughter of the petitioner and the brother of the complainant and an amount of Rs.7,60,000/- was deposited in that account by the complainant party. Apart from that, a cash amount of Rs.1 lakh and 4 tolas of gold articles were given to the petitioner. The petitioner duped the complainant of the amount of Rs.6,35,000/- and gold ornaments. After registration of FIR, investigation proceedings were initiated. Apprehending her arrest, the petitioner had moved application for grant of pre arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Sangrur vide order dated 29.08.2022. She filed petitions before this Court. This petition has been filed by her again seeking benefit of pre arrest bail by submitting that her custodial interrogation is not required. She has already joined the investigation.

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3. Status report has been filed. Though in this report, it is mentioned that the custodial interrogation of the petitioner is required for effecting recovery. However, today learned State counsel has submitted that the challan already stands presented. Learned counsel for the petitioner has also placed on record a copy of order dated 16.01.2025 passed by learned trial Court showing that after presentation of challan, notice has been ordered to be issued to the present petitioner and the co-accused. Since challan has already been presented and investigation already stands concluded, therefore, it is apparent that neither custodial interrogation of the petitioner is required nor she is to be joined into investigation now. In these peculiar circumstances, this Court is of the considered opinion that the present petition has been rendered infructuous. The same is disposed of accordingly. However, the petitioner is directed to appear before the learned trial Court on or before the date fixed and on her putting up appearance, the trial Court shall admit her to bail subject to her furnishing personal as well as surety bonds to its satisfaction.

19.03.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No