



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-61576-2024
Date of decision: 20.02.2025

STAFFINPREET KAURPETITIONER

Versus

STATE OF PUNJABRESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

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

Mr. Rajinder Singh Bhatta, DAG, Punjab.

Mr. Lovish Arora, Advocate and
Mr. Kulbir Singh Rai, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
330	18.11.2024	420, 406 of IPC and 24 of the Immigration Act.	Sohana, District S.A.S. Nagar (Mohali).

2. Learned counsel for the petitioner submits that in compliance to the order dated 14.01.2025 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 14.01.2025.
3. Learned State counsel intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.
4. Learned counsel for the complainant opposed the submissions

made by learned counsel for the petitioner.



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5. During the course of hearing on 14.01.2025, following order was passed:

“ 4. It is inter alia contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case, being a police official without there being any concern with the allegations levelled in the complaint. He has referred to the complaint to say that no specific overt act is attributed to the petitioner and only allegation mentioned against the petitioner is that she has threatened the complainant of dire consequences. He contends that the petitioner has no concern with the alleged transactions, nor she has taken any amount from the complainant. He further contends that the husband of the complainant had earlier moved a similar complaint to Senior Superintendent of Police, Sangrur, (Annexure P-2) and the present complaint has been filed at Mohali by the present complainant on the same set of allegations.

5. Learned State counsel on instructions from the Investigating officer has submitted that the instant FIR has been registered on the basis of thorough inquiry being conducted by Superintendent of Police (Headquarter), SAS Nagar, recommending to register the FIR. On perusal of the Police file, it transpires that Superintendent of Police (Headquarter), SAS Nagar, vide letter No.247/2024 had recommended for filing of the complaint.

6. Be it the case, the concerned DSP, who has filed the affidavit, in order to mislead the Court, is directed to remain present in Court on the next date of hearing.

7. Learned counsel appearing on behalf of the complainant has submitted that the petitioner is facing two more criminal cases and is the king-pin of the gang and as such he should not be granted the concession of anticipatory bail.

8. Be that as it may, the petitioner is hereby directed to join investigation within seven days from today and co-operate in

the same. In the event of the arrest of the petitioner, she shall be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 482(2) BNSS.

9. List on 04.02.2025.

10. The Investigating Officer and the concerned DSP is directed to remain present in Court along with record on the next date of hearing.”

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 14.01.2025 passed by this Court, interim bail granted vide order dated 14.01.2025 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

20.02.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |