



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

(101)

CRM-M-65466-2024

Date of Decision:-**16.01.2025**

GURJEET KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

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

Mr. Rohit Ahuja, DAG, Punjab.

ALOK JAIN, J. (Oral)

1. This is the second petition filed by the petitioner under Section 482 Bhartiya Nagarik Suraksha Sanhita ('BNSS' for short) for grant of anticipatory bail in case bearing FIR No.74 dated 05.07.2023 registered under Sections 420, 465, 471, 120-B IPC at Police Station SGN Dev Thermal Plant, Bathinda District Bathinda (Annexure P-1).

2. Learned counsel for the petitioner submits that the investigation is completed and apart from the bald allegations that a sum of ₹1,30,000/- was deposited in the account of the petitioner, there is no other amount received by her. He further submits that in fact the main accused was her husband-Pardeep Singh, who was arrested and has been subsequently released on bail by the learned Trial Court and therefore, no useful purpose



would be served by arresting the petitioner as the petitioner is ready to join the investigation.

3. Per-contra counsel for the State has vehemently opposed the grant of any concession to the petitioner on the ground that the petitioner has misused the concession granted by this Court as on 19.12.2023. When first anticipatory bail was filed, and wherein petitioner conceded to the offence and sought the matter be referred to the mediation, so that the entire litigation can be put to rest and for that purpose, she was granted the interim anticipatory bail but neither she appeared before the Mediator nor bother to appear in the Court, which led to dismissal of her earlier anticipatory bail. Furthermore, counsel for the State also submits that it is not the money alone which needs to be recovered but to unearth the entire *modus operandi* of how the petitioner along with other co-accused has fleeced the innocent complainant of huge amounts by playing with his emotion of going abroad and he was given a fake travel documents by taking huge amounts in cash for which the custodial interrogation of the petitioner would be of immense importance.

4. Heard learned counsel for the parties and considering the fact that the petitioner's act and conduct has not been clean and there is no *bona fides* attached to the petitioner who is only abusing the process of law. I do not find it a fit case where extra ordinary concession of grant of anticipatory bail should be extended. It is not only the money which is to be recovered but various other *modus operandi* of the petitioner and other accomplices and also the way how these fabricated travel documents were created, needs to be looked into.



5. It is settled principle of law as has been held by Hon’ble Apex Court in case titled as **CBI vs. Anil Sharma, 1997 SCC 187** that custodial interrogation is a better way to reach to the truth and petitioner has been absconding from the process of law for more than one year and four months, which has procrastinated the trial as well.
6. Finding no merit in the present petition, the same is hereby dismissed.
7. Since the main case has been decided, pending miscellaneous application(s), if any, stands also disposed of.

16.01.2025
Gaurav Sorot

(ALOK JAIN)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No