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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41278-2025
DECIDED ON: 05.08.2025

SALONI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Arpan Sabharwal , Advocate
for the petitioner

SANDEEP MOUDGIL, J (ORAL)

1. **Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 59 dated 17.04.2021 under Sections 406, 420, 201 of IPC, 1860 and Section 13 of the Punjab Travel Professional Regulation Act, registered at Police Station Shahkot, District Jalandhar (Annexure P-1).

2 **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that she is a government school teacher by profession and not a travel agent, as alleged. The complainant is stated to have a dispute with the husband of the petitioner, against whom the

petitioner had filed a divorce petition in the year 2021, which was later dismissed for non-prosecution. It is submitted that there is no recovery to be effected from her, and therefore, the present petition for anticipatory bail deserves to be allowed.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. TPS Walia, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition urging that earlier the petitioner was granted the concession of anticipatory bail, but she failed to appear before the trial Court within the given time, therefore, her custodial interrogation is required.

3. **Analysis**

A perusal of the pleadings reveals that the petitioner has been summoned as an additional accused under Section 319 Cr.P.C. pursuant to an application moved during the trial. It is not the case of the prosecution that any recovery is to be effected from the applicant, nor is her custodial interrogation required. The investigation in the matter stands concluded and the challan has already been filed before the learned Trial Court.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein she has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

4. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the

satisfaction of Arresting Officer/Investigating Officer. 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 one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

05.08.2025

Meenu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No