

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-19197-2025 (O&M)
Date of Decision: 07.05.2025

MAMTA VERMA

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. J.S. Dadwal, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Mr. Amit Bhanot, Advocate
for the complainant.

HARPREET SINGH BRAR J. (Oral)

1. Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.0002 dated 12.03.2025 under Sections 420, 406, 120-B of the Indian Penal Code, 1860 and Section 24 of Emigration Act, 1983, registered at Police Station NRI, District Sangrur.

2. On 07.04.2025, following order was passed:

“Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.0002 dated 12.03.2025 under Sections 420, 406, 120-B of the Indian Penal Code, 1860 and Section 24 of Emigration Act, 1983, registered at Police Station NRI, District Sangrur.

Learned counsel for the petitioner, inter alia, contends that the complainant has concocted a story to falsely implicate the petitioner. In fact, daughter of the complainant was legally sent to Canada on work permit through USD Immigration Consultancy Services and she got employment there. In this regard, learned counsel for the petitioner refers to work permit (Annexure P-2) and employment contract (Annexure P-3). However, due to recession and change in Permanent Residency Rules, prospects of PR of complainant's daughter are bleak, as such, the complainant got the



FIR (supra) registered after a delay of 02 years. Further, daughter of the complainant is still in Canada. The complainant never raised any objection with regard to her employment that she is qualified in GNM/Nanny, however, she did not get employment as per her qualification.

Notice of motion for 07.05.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law.”

3. Learned State counsel on instructions from ASI Jagsir Singh, submits that in compliance of order dated 07.04.2025 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

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4. Keeping in view the statement made by learned State Counsel the order dated 07.04.2025, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482(2) of BNSs, 2023.

5. The petition is accordingly disposed of.

07.05.2025
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>