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

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**CRM-M-16993-2025
Date of decision: 22.05.2025**

KAMALJIT KAUR (MAND)

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. P.P.S. Duggal, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

Mr. Vishwajit Bedi, Advocate for the complainant.

SANJAY VASHISTH. J.(Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station
Kamaljit Kaur (Mand)	10	06.03.2024	406, 420 and 120-IPC and Section 82 of Registration Act, 1908	NRI, Police Commissioner, Ludhiana Punjab

2. Status report dated 21.05.2025 by way of an affidavit of Harjinder Singh, PPS, Deputy Superintendent of Police, NRI Wing, Ludhiana has been filed on behalf of respondent-State. The same is taken on record.



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3. On 27.03.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station
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2. Learned counsel for the petitioner submits that petitioner is a woman, who is mother of three daughters, aged 18 years, 15 years and 01 year. Counsel submits that earlier the inquiry/investigation was conducted qua the allegations as mentioned in paragraph No.3 (b)(c) of pleadings and again in the police proceedings, wherein it is specifically mentioned that petitioner was joined in investigation and during investigation no evidence was found against her. There was a recommendation for registration of FIR only against Manjit Singh, who is father in law of the petitioner.

Counsel also submits that the case depends upon the documentary evidence and for the same, custodial interrogation of the petitioner would not serve any purpose for prosecution, moreover, petitioner is ready to join the investigation as and when called by the Investigating Agency. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, learned State counsel puts in appearance on behalf of the respondent – State and Mr. Vishwajit Bedi, Advocate accepts notice on behalf of complainant.

6. Learned State counsel seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions and seeks time to file status report.



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7. *Adjourned to 22.05.2025.*

8. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, the petitioner shall be released on ad-interim bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

9. *Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she possesses. Otherwise, would submit an affidavit, disclosing the fact that she does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court. “

3. Learned counsel for the petitioner contends that in compliance of the order dated 27.03.2025, passed by this Court, the petitioner has joined the investigation, and has fully co-operated.

Counsel further submits that the case is based upon documentary evidence, therefore, custodial interrogation of the petitioner would not be required and by confirming the anticipatory bail order, present petition be allowed.

4. The learned State Counsel, while confirming that the petitioner has joined the investigation, submits that the petitioner has not fully cooperated with the Investigating Agency. He further submits that in order to verify the authenticity and relevance of the documents, custodial interrogation of the petitioner is required.

5. In response, counsel for the petitioner contends that all the necessary documents are already in the possession of the Investigating Agency. At the time of the registration of the FIR, the petitioner was called to the police station, and during the preliminary inquiry/investigation, the documents were collected by the



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Investigating Officer.

6. The petitioner further submits that all these documents are available in the office of the Registrar also, where they were originally registered, including the *Power of Attorney*. It is also contended that the *Power of Attorney* is in the possession of the co-accused, as the petitioner has no connection with it. The said *Power of Attorney* was executed in favor of Manjit Singh, who is the petitioner's father.

7. Heard learned counsel for the parties.

8. Considering the submissions addressed by both the counsels and the fact that petitioner has joined the investigation. Moreover, the case depends entirely on documentary evidence, and it is not the petitioner, to whom the *Power of Attorney* was given by the complainant, I deem it appropriate to allow the present petition. Accordingly, the ad-interim order dated 27.03.2025 passed by this Court is hereby made absolute.

9. However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

10. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

22.05.2025
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No