2025:PHHC:002587

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41907-2024 (O&M)
Date of decision : 10.01.2025

Palwinder Kaur ...Petitioner(s)

Versus

U.T. Chandigarh ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Manish Bansal, Public Prosecutor, U.T. Chandigarh, assisted by SI Ajesh Kumar.

MAHABIR SINGH SINDHU, J.

Petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 *(for short, 'the BNSS')* has been filed for grant of pre-arrest bail to the petitioner in FIR No.115 dated 26.07.2024, under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860; and Section 24 of the Emigration Act, 1983, registered at Police Station Sector 39, Chandigarh.

2. Allegations are that petitioner along with other co-accused duped the complainant-party to the tune of Rs.5,80,000/- on the pretext of providing Visa and free air tickets, but she failed to do so.

3. There is no representation on behalf of the petitioner.

4. Learned State counsel, on instructions, submits that the Coordinate Bench, granted interim bail to petitioner on 29.08.2024 and

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in terms thereof, she has joined the investigation and her custodial interrogation is not required, at this stage.

5. Heard learned State counsel and perused the paper-book.

6. It is an admitted position that petitioner was granted interim bail by the Coordinate Bench on 29.08.2024 and relevant part of the same is recapitulated as under:-

> *"The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.115, dated 26.7.2024 at Police Station Sector-39, Chandigarh, Union Territory, under Sections 420, 467, 468, 471, 120-B of Indian Penal Code and Section 24 of Immigration Act.*
>
> *Learned counsel for the petitioner submitted that the FIR came to be lodged under some misunderstanding, which has now been resolved and the matter stands compromised and that infact a petition for quashing of FIR on the basis of compromise has also been instituted in this Court.*
>
> *Notice of motion for 10.1.2025.*
>
> *Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C."*

7. It is fairly acknowledged by learned State counsel that in pursuance of above order, petitioner has joined the investigation and her custodial interrogation is not required at this stage.

8. In view of above, interim order dated 29.08.2024 is made absolute subject to the conditions as envisaged under Section 482(2) of the BNSS.

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9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

11. Disposed off accordingly.

Pending application(s), if any, shall also stand disposed off.

10.01.2024 **(MAHABIR SINGH SINDHU)**
atulsethi **JUDGE**

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

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