

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM No. M-12179 of 2015 (O&M)
Date of Decision: 18.05.2015.

Priya Grover

... Petitioner

Versus

State of Haryana & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

....

TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking the concession of pre-arrest bail to the petitioner in case FIR No.129 dated 29.03.2014, under Sections 419/420/406/120-B IPC, registered at Police Station Sushant Lok, Gurgaon.

While issuing notice of motion on 15.04.2015, the following order was passed by this Court:

Learned Senior Counsel appearing for the petitioner submits that although the petitioner is also a Director in the Company, in which the money was invested, her co-accused, i.e. her husband, Rajan Grover, was arrested in respect of the same offence on 28.05.2014 and now has been admitted to regular bail by the trial Court vide order dated 03.09.2014 (Annexure P3)

He further submits that as a matter of fact, the attempt to now arrest the petitioner after the report under Section 173 Cr.P.C. has already been submitted to the trial Court and, to the best of her knowledge the petitioner has not been indicted therein, is only an attempt to pressurize the petitioner and her husband to pay up the money, in respect of which, even no civil proceedings (for recovery of the money) have been

initiated by the complainant.

Notice of motion returnable on 28.04.2015.

In the meanwhile, in case the petitioner is sought to be arrested, she shall be admitted to bail on her furnishing adequate bail bonds and surety bonds to the satisfaction of the arresting officer/Illaqua Magistrate, subject to her complying with the conditions laid down in Section 438 (2) Cr.P.C.”

Thereafter, during the course of hearing of the present petition i.e. 28.04.2015, a submission had been advanced on behalf of the State that the petitioner during the course of investigation had not been found to be innocent and which was contrary to the stand taken by counsel appearing for the petitioner while issuing notice of motion. Accordingly, the matter was adjourned for today for placing on record the challan/final investigation.

During the course of resumed hearing today, learned State counsel upon instructions from ASI Chander Ballabh would make a submission that in the final investigation report, the name of the petitioner has been placed in column No.2 as she has been found to be innocent during the course of investigation. State counsel further concedes that the petitioner has otherwise joined investigation.

As such, custodial interrogation of the petitioner could not be warranted.

Petition is allowed. Order dated 15.04.2015 passed by this Court is made absolute.

Disposed of.

18.05.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**