

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20142 of 2015.

Decided on:-July 28, 2015.

Chanda Sood.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Jaivir Yadav, Advocate for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Deepak Bhardwaj, Advocate for the complainant.

HARI PAL VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 438 Cr.PC for grant of anticipatory bail in case FIR No.68 dated 23.4.2015 under Section 420/34 IPC, registered at Police Station City Rupnagar.

While recording the contention put forward by the petitioner, this Court vide order dated 19.6.2015 had granted interim bail to the petitioner subject to her joining of investigation and to comply the provisions of Section 438(2) Cr.P.C.

Learned counsel for the petitioner contends that pursuant to order dated 19.6.2015, the petitioner has joined the investigation.

The factum of joining the investigation is not disputed by the learned counsel for the State as instructed by ASI Inderpal Singh. However,

he states that the amount in dispute is required to be recovered from the petitioner.

Learned counsel for the complainant has also raised similar plea including the fact that it is only at a later stage that the Aadhar Card was prepared by the petitioner and on the relevant date when the receipt was allegedly signed, Tripta, who is sister of the petitioner, was admitted in CMC, Chandigarh.

Considering the fact that the amount in dispute has been withdrawn by the petitioner by way of an account payee cheque and the criminality in the case is yet to be established by the Court during the trial, the present petition is allowed and the order dated 19.6.2015 passed by this Court is made absolute.

However, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) Cr.P.C.

The observations made hereinabove shall not be construed any expression on the merit of the case and the trial Court shall decide the case on the basis of evidence on record.

It is made clear that the complainant is at liberty to raise all the available issues during the trial.

(HARI PAL VERMA)
JUDGE

July 28, 2015
'Yag Dutt'