

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-29949 of 2015

.....

Date of decision:9.10.2015

Noor Jahan

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Sarfraz Hussain, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.1196 dated 12.9.2014
registered for the offences under Sections 420 and 406 IPC at Police Station
City Panipat, District Panipat.

Notice of motion has been issued in this case.

Mr. Anmol Malik, learned Assistant Advocate General, Haryana
has put in appearance on behalf of the respondent-State and contested this
petition.

I have heard learned counsel for the petitioner and learned
Assistant Advocate General, Haryana appearing for the respondent-State
and have gone through the record.

From the record, I find that the FIR in the present case was

registered on the basis of application given by Mr. S.K. Garg, Branch Manager, United Bank of India. The case of the prosecution is that Rahish Khan, proprietor of M/s A.D.N. Engineering Works took a loan of ₹7 Lacs from the Bank and hypothecated the stock of iron angles etc. with the Bank. The allegation against present petitioner Noor Jahan is that she is wife of Rahish Khan and she stood guarantor and deposited the title deeds of the properties, but she sold the properties. The petitioner has already joined the investigation. She is not required for custodial interrogation. Nothing is to be recovered from her. The case is based on documentary evidence. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 4.9.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

October 9, 2015.

(Inderjit Singh)
Judge

hsp