

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

**CRM No.M-2419 of 2016 (O&M)
Date of decision:01.04.2016**

Aarti Devi

... Petitioner

Vs.

State of Haryana

... Respondent

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

Present: Mr. Kamal Chaudhary, Advocate for
Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. Vivek Saini, DAG, Haryana.

.....

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.211 dated 02.08.2015, under Sections 406/420/506/120-B IPC, registered at Police Station Ladwa, District Kurukshetra.

While issuing notice of motion on 22.01.2016, the following order was passed by this Court:

“Petitioner seeks concession of pre-arrest bail in case FIR No.211 dated 02.08.2015, under Sections 406, 420, 506 and 120-B of Indian Penal Code, registered at Police Station Ladwa, District Kurukshetra.

Allegations are against the present petitioner, her husband as also other co-accused of having cheated complainant-Rajesh of a large sum of money on the pretext of getting him employment under the Haryana State Government.

Counsel would submit that husband of Krishna is a Kiryana Shop owner and the present petitioner is a mere housewife. The allegations on the face of it are not probable. Further contended that husband of the petitioner was arrested and thereafter given benefit of regular bail .

Notice of motion, returnable for 01.04.2016.

Petitioner is directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and she shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Ram Pal would apprise the Court that the petitioner has since joined investigation and is not required for custodial interrogation.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Accordingly, the present petition is allowed. Order dated 22.01.2016 passed by this Court is made absolute.

Disposed of.

01.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**