

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

CRM-M No.37810 of 2015

Date of Decision:-29.03.2016

Suman Arora.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Mandeep Kaushik, Advocate for the Petitioner.

Mr. Gaurav Dhir, Deputy Advocate General, Haryana
assisted by SI Satya Dev.

Mr. Shiv Kumar, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioner Suman Arora in case FIR No.237 dated 14.08.2015 for offences punishable under Sections 420, 406, 467, 468, 471 and 120-B of Indian Penal Code registered with Police Station NIT, Faridabad.

Present accused and her co-accused husband Radhey Sham Arora are the owners of a flat qua which the agreement to sell was executed with the complainant Arvinder Singh and a sum of Rs.22 lacs was received as earnest money out of the total sale consideration of Rs.26 lacs. Instead of executing the sale deed, the accused party has proceeded to sell off the flat

to a third party. The co-accused husband is stated to be in custody.

It is contended on behalf of the petitioner that she had been roped in only to create pressure.

On the previous date of hearing, it was agreed that a sum of Rs.15 lacs towards partial refund of earnest money received without prejudice to the respective rights, would be paid in installments for the limited purpose of securing Anticipatory Bail in the present case.

At the time of hearing, an undertaking by way of affidavit dated 28.03.2016 of the present petitioner has been filed in Court. Copy of the same has been furnished to the counsel for the complainant and the State. Same is taken on record.

In the undertaking it is stated that six post dated cheques have been tendered which have been accepted by the complainant, who is present in Court, however, one of the cheques dated 1.07.2016 for a sum of Rs.2,50,000/- needs to be replaced as it is not correctly addressed. The said cheque has been returned to the counsel for the petitioner for replacing the same and re-tendering it to the complainant within one week from today.

Learned State Counsel assisted by SI Satya Dev submits that in view of the aforesaid developments and the fact that the petitioner has joined investigation, her custodial interrogation is no longer required.

In view of the above, interim protection/pre-arrest bail granted vide order dated 04th of November, 2015 is made absolute subject to the petitioner re-tendering the replaced cheque dated 1.7.2016 for Rs.2,50,000/-. It is clarified that if any of the cheques does not materialize, the anticipatory bail confirmed today shall be liable to be cancelled at the

instance of the complainant.

Petition stands disposed of.

**(JASWANT SINGH)
JUDGE**

March 29, 2016

Vinay