

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-43680 of 2015 (O&M)

Date of Decision: 02.05.2016

Anjali

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Gopal Sharma, Advocate for the petitioner.

Mr. Deepak K. Grewal, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.66 dated 5.2.2015 under sections 147, 149, 323, 452, 379, 427, 506 I.P.C, registered at Police Station, Sector 5, Gurgaon, District Gurgaon.

On 23.12.2015, while issuing notice of motion, the following order was passed by this Court:-

“Learned counsel for the petitioner submits that the petitioner and her other family members have falsely been implicated at the instance of husband of the petitioner, namely, Deepak Kumar, who is having illicit relations with the complainant. The petitioner was turned out by the husband from the matrimonial home and thereafter, a pressure was put upon the petitioner for divorce but the same was refused. No offence is made out against the petitioner. Learned counsel also submits that the petitioner has also filed a complaint under the Protection of Women from Domestic Violence Act, 2005, which is still pending. Nothing is to be recovered from the petitioner and she is ready to join investigation. No custodial interrogation is required.

Notice of motion for 25.02.2016.

Meanwhile, the petitioner is directed to join

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investigation and in the event of arrest, she shall be released on interim bail to the satisfaction of the Investigating Officer. She shall join the investigation as and when required by the Investigating Officer. She shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioner shall make herself available for interrogation before investigating officer as and when required;

(ii)that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

(iii)that the petitioner shall not leave India without the prior permission of the Court. ”

Learned State counsel upon instructions from ASI Narvir Singh would apprise the Court that the petitioner has since joined investigation and had appeared before the Investigating Officer on 10.3.2016. State counsel further submits that the petitioner is not required for any custodial interrogation.

Accordingly, the present petition is allowed. The order dated 23.12.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.05.2016
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