

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

CRM-M -43783 of 2015 (O&M)

Date of decision: 30.08.2016

Meenu Arora

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Harjinder Singh.

Mr. S.S. Majithia, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.275, dated 28.11.2015, registered under Sections 420 and 120-B IPC, at Police Station Cantonment, Amritsar City, District Amritsar.

On 23.12.2015, this Court had passed the following order:-

“Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case. The husband of the petitioner was in need of money and he took loan from the complainant on interest by pledging property, which belong to him as well as the petitioner. The interest amount was being paid to the

complainant. The amount of two properties was deposited through cheque in the account of the complainant. The person in whose presence, the amount was paid to the petitioner is witness to the lease deed. The dispute between the parties is of civil in nature as a civil suit filed by the husband of the petitioner is still pending. The civil litigation has been given shape of criminal litigation. Nothing is to be recovered from the petitioner and she is ready to join investigation.

Notice of motion for 25.02.2016.

Meanwhile, the petitioner is directed to join 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. ”

It is contended that in pursuance of the order dated 23.12.2015, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and she is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide

order dated 23.12.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

30.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No