

CRM-M-13070-2017

[1]

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

(Sr. No.140)

CRM-M-13070-2017

Date of Decision:-April 19, 2017

Preeti Taneja

.....Petitioner

V/S

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Aakash Juneja, Advocate,
for the petitioner.

Mr. Arjun Singh Yadav, AAG Haryana.

A.B. Chaudhari, J. (Oral)

Rule. Heard forthwith with the consent of the counsel for the rival parties.

The petitioner has approached this Court for grant of anticipatory bail in case FIR No.51 dated 08.03.2013 registered under Sections 420, 468 and 471 of Indian Penal Code, 1860 at Police Station K.U. Kurukshetra, District Kurukshetra.

The allegations against the petitioner are that the petitioner had paid ₹800/- to the coaccused for making fabrication in the record of the University as regards the result of the examination, in which the petitioner had appeared. The petitioner was granted anticipatory bail by the trial Court. The petitioner, however, did not appear before the investigating officer on the ground that her 1½ years old child was unwell. The trial Court recalled the earlier order. She again applied for the same relief and again was granted order. Again she remained absent. Lastly the Additional Sessions

Judge, Kurukshetra has found that in Para-6 of impugned order that the

petitioner was acting smart by projecting the reason that sometimes her 1½ years old child was ill and sometimes she herself was ill.

Be that as it may, learned counsel for the petitioner submits that now the challan has been filed in the trial Court.

After hearing learned counsel for the rival parties I find, that the FIR No.51 dated 08.03.2013 for offences registered under Sections 420, 468 and 471 of IPC at Police Station K.U. Kurukshetra, District Kurukshetra, relates to the year 2013. The incident appears to have taken place in the year, 2013. It is true that as observed by the Trial Court in Para-6 of the impugned order, the petitioner had tried to play smart with the trial Court by projecting the illness of her 1½ years old child sometimes and sometimes her own illness, thus, taking the Court for a ride. Therefore, I do not find any fault with the trial Court for giving those reasons as it has rightly found that the petitioner played over smart.

Be that as it may, looking to the fact that the FIR relates to the year 2013 and the petitioner who is a woman and then married having a child of 1½ years old appears to have indulged into the said offence by making payment of ₹800/- to the coaccused for fabrication in the university records. Obviously, at this stage there is no need for the petitioner to go to the investigating officer for any interrogation as further investigation has been made. Since, the challan has been filed, counsel for the petitioner is not sure as to whether the challan has been filed against the petitioner as well or not.

Be that as it may, in view of the stale nature of the case which relates to the year 2013 and the adventure of the petitioner who appears to have made a mistake, prima facie in indulging into the payment of ₹800/- and

then doing something wrong with the university records, there is no need to have her arrest made. In that view of the matter, the following order is passed:-

ORDER

1. The petition for anticipatory bail is allowed.
2. In the event of arrest, petitioner shall be released on ad-interim anticipatory bail in FIR No.51 dated 08.03.2013 registered under Sections 420, 468 and 471 of Indian Penal Code, 1860 at Police Station K.U. Kurukshetra, District Kurukshetra, on furnishing of her bail bond amounting of ₹10,000/- with one surety of like amount to the satisfaction of the arresting officer.

April 19, 2017
Pankaj

(A.B. Chaudhari)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No