

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-46795 of 2016 (O&M)
Date of Decision: 07.03.2017

Monika Chauhan

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. C.S. Bakshi, Addl. 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.496 dated 9.6.2016 under sections 306, 34 I.P.C, registered at Police Station, Gurgaon City, District Gurgaon.

On 10.1.2017, the following order was passed by this Court:-

“Learned State counsel is on instructions from SI Dharmesh Kumar.

The alleged suicide note left behind by deceased- Ravi Bansal has been read out in Court today. Court has been apprised that the report from the hand writing expert/FSL, Bhondsi is still awaited. Be that as it may, even if the contents of the suicide note are taken at their face value, the allegation is that the deceased was fleeced of a sum of Rs.2.50 lacs by the accused/present petitioner by having befriended him and such amount having not been returned. Whether such circumstances and allegations would constitute an offence under Section 306 IPC would be a debatable issue.

List on 07.03.2017.

In the meanwhile, 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 SI Dhanesh Kumar would apprise the Court that the petitioner has since joined investigation. That apart, it has been submitted that even the mobile phone of the petitioner has been sent to the C.F.S.L., Chandigarh to elicit expert opinion with regard to alleged exchange of messages between the petitioner and the deceased.

In the considered view of this Court, the petitioner having already joined the investigation and having cooperated in the matter, her custodial interrogation, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 10.1.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

07.03.2017

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Whether speaking/reasoned: Yes
Whether Reportable: No