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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20981-2018
Date of decision-19.11.2018

Nisha Rani and another

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Naveen Batra, Advocate for the petitioners.

Mr. Abhaypal Singh Gill, AAG, Punjab assisted by
ASI Satnam Singh.

Mr. Amandeep Saini, Advocate for the complainant.

MANOJ BAJAJ, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.50 dated 13.04.2018 registered under Sections 420, 120-B and 406 of the Indian Penal Code at Police Station Anandpur Sahib, Roopnagar, District Roopnagar.

On 17.05.2018, this Court had passed the following order:-

“Heard.

Learned counsel for the petitioners submits that the complainant filed a complaint under Section 138 of Negotiable Instruments Act, 1881 with the allegation that the cheque bearing No.497414 dated 15.02.2016 and another cheque bearing No.483929 dated 22.04.2016 issued to him got bounced when presented in the bank.

On the same allegations, he has lodged this FIR making offence of cheating under Section 420 IPC. It was in fact a loan transaction, which was given shape of criminal case while lodging this FIR.

Notice of motion for 24.08.2018.

Petitioners are directed to surrender before the police and join investigation within two weeks. In the event of their arrest being required, they shall be released on interim bail till the next date, subject to their furnishing bonds to the satisfaction of Arresting Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.”

Learned counsel for the petitioners contends that in pursuance of the order dated 17.05.2018, the petitioners have joined the investigation.

Learned State counsel on instructions of Satwant Singh, ASI submits that the petitioners have joined the investigation and they are 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 17.05.2018, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

19.11.2018

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