

CRM-M-37548-2017

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

CRM-M-37548-2017 (O & M)

Date of Decision: 07.02.2018

Rina alias Tara Devi

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Viney Saini, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Mr. Ashok Choudhary, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Reply filed on behalf of respondent No.1-State in the Court today is taken on record. Copy of the same has been supplied.

Petitioner-Rina alias Tara Devi has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.444 dated 17.08.2017, registered at Police Station Sadar Thanesar, District Kurukshetra, under Sections 420, 506 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and complainant also appeared through his counsel. They contested this petition.

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I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that as per the prosecution version, the present petitioner sold the property to the complainant. However, she again entered into an agreement to sell for the same property with some other person. There is also allegation that some articles like *petti*, bed etc. have been stolen. But, FIR has not been registered under Section 379 IPC, rather it is registered only under Sections 420, 506 and 120-B IPC.

In pursuance of the interim order dated 07.10.2017, the petitioner has already joined the investigation. She is not required for custodial interrogation. The case is mainly based on the documentary evidence.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 07.10.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

07.02.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No