

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 43135 of 2017 (O&M)

Date of decision : 7.5.2018

...

Veena @ Beena

.....Petitioner

vs.

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Sonpreet Singh Brar, Advocate
for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General,
Haryana.

...

H. S. Madaan, J.

This petition for grant of anticipatory bail has been filed by petitioner – Veena @ Beena, an accused in FIR No. 688 dated 5.10.2016, for offences under Sections 419, 420, 467, 468, 471, 120-B, IPC, registered at Police Station Central, Faridabad.

Briefly stated, facts of the case as per prosecution story are that the FIR in question was got recorded by Anuradha Sharma, stating that she is General Power of Attorney holder of Dr. Krishan Kumar Madan, residing in Australia. Dr. Krishan Kumar Madan had purchased land measuring 7 Bigha 18 Biswa situated at village Kot, District Faridabad vide sale deed dated 6.8.1986. The mutation was sanctioned in his favour. Dr. Krishan Kumar Madan had not executed General Power of Attorney in favour of any other person except the

complainant. However, the petitioner Veena @ Beena in collusion with some other persons got General Power of Attorney registered in her name stated to have been executed by Dr. Krishan Kumar Madan and on the basis of that forged GPA sold the land to M/s Jain Muskan through its partner S.K. Jain vide sale deed dated 8.2.2012; that Mewa Lal Verma s/o Shiv Pujan Verma had impersonated as Dr. Krishan Kumar Madan and had executed the forged General Power of Attorney. Mewa Lal Verma was arrested on 9.11.2017 and later on granted bail. While being interrogated, Mewa Lal Verma had disclosed about involvement of the petitioner in the forgery; that the petitioner had obtained a consideration amount of sale of land from M/s Jain Muskan including a bank draft of Rs.4.50 lacs, which she deposited in her bank account with Bank of Baroda, Sector 19 Branch, Faridabad. The petitioner is involved in another case bearing FIR No. 579 dated 5.10.2013 under Sections 420, 467, 468, 120-B IPC, Police Station Central, Faridabd. However, she had compromised the matter with the opposite party and that FIR was quashed by this Court.

She had filed an application for pre-arrest bail in the Court of Sessions, but the same was dismissed by Additional Sessions Judge, Faridabad, vide order dated 25.10.2017, as such she has approached this Court craving for grant of similar relief, which petition is being opposed by the State counsel.

I have heard, learned counsel for the petitioner, learned State counsel, besides going through the record.

Pre-arrest bail is a discretionary relief, which is to be

granted in very rare cases to avoid harassment and inconvenience to the innocent persons and not in routine to shield the culprits from custodial interrogation.

In the case of *State represented by the C.B.I. Versus Anil Sharma, 1997(4) R.C.R.(Criminal) 268*, Hon'ble Apex Court had observed that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is on anticipatory bail, in a case like this interrogation of suspected person is of tremendous advantage in getting useful information.

Keeping in view the seriousness of the allegations against the petitioner her custodial interrogation is necessary for complete and effective investigation of the case and to effect the recovery also. In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely which is not called for. Though the petitioner had joined the investigation as per order of this Court, but she did not cooperate therein.

Finding no merit in the petition, the same stands dismissed.

7.5.2018
chugh

(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No