

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

214

CRM-M-7898-2019 (O & M)
Date of Decision:30.04.2019

Rajbala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rahul Deswal, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.(ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.651 dated 23.10.2015 under Sections 406, 420, 506, 201 IPC and Sections 4, 5 C (II) of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, registered at Police Station Sonapat City, District Sonapat. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.02.2019 and 01.03.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner.

On 22.02.2019, at the time of issuing notice of motion, following order was passed:-

“Notice of motion.

Notice regarding stay as well.

On asking of the Court, Mr. R. S. Doon, AAG,

Haryana accepts notice on behalf of the respondent-State and seeks time to get instructions. Copy of petition be supplied to him during course of the day.

Learned State counsel is directed to verify as to how many complaints have been filed and how many cases have already been registered.

Adjourned to 26.02.2019.”

On 01.03.2019, after hearing learned counsel for the parties, this Court had passed the following order:-

“Crl. Misc. No. 6680 of 2019

This application has been filed for adding of Sections 201 IPC and Sections 4,5 C (II) of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 in the headnote and prayer clause of the petition as the same have been added later on during investigation.

Application is allowed and Sections 201 IPC and Sections 4,5 C (II) of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 are ordered to be added in the headnote as well as prayer clause of the petition.

Registry is directed to make necessary corrections.

Crl. Misc. No. M-7898 of 2019

Learned counsel for the petitioner contends that on the basis of same allegations in another FIR No. 33 dated 14.1.2015, the petitioner approached this Court

by way of filing Crl. Misc. No. M-45874 of 2016 and he was released on interim bail, which was later on made absolute. The said FIR was also in the same police station.

Adjourned to 30.4.2019.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, she shall be released on interim bail to the satisfaction of the Investigating Officer. She shall join the investigation as and when required by the Investigating Officer. She shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioner shall make herself available for interrogation before investigating officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;*
- (iii) that the petitioner shall not leave India without the prior permission of the Court.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the

Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by SI Ramesh does not dispute this fact that the petitioner has joined the investigation. He further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.03.2019 is made absolute. However, it is made clear that this order shall remain operative only till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

30.04.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No