

In the High Court of Punjab and Haryana at Chandigarh

101+233

CRM-M-29475-2019 (O & M)

Date of Decision: October 17, 2019

SANGEETA SHARMA AND ANR

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vikas Bahl, Senior Advocate with
Mr. Nikhil Sabharwal, Advocate and
Mr. Nippun Sharma, Advocate for the petitioners.

Mr. K.K. Bheniwala, Addl. AG, Punjab.

Mr. A.S. Cheema, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners are seeking anticipatory bail in FIR No. 90 dated 30.06.2019, under Sections 420, 380 and 120-B of the Indian Penal Code, 1860, registered at Police Station Navi Baradari, District Jalandhar.

Learned senior counsel appearing for the petitioners contends that petitioner No.1 is a Dental Surgeon and petitioner No.2 is her husband and they are based in United Kingdom. She had come to India after the demise of her father on 25.05.2019 to claim inheritance in the properties left behind by her father. He also contends that she has also filed a civil suit on 27.06.2019 claiming her share in various properties of her father including her share in the hotel. The allegations in the complaint are that she had tried to forcibly enter into the hotel premises and taken away record and some money. He further contends that the FIR is a counter-blast to the civil suit preferred by her.

This Court, by the order dated 15.07.2019, had directed the petitioners to appear before the Investigating Officer and join the investigation and in the event of their arrest, they were ordered to be released on ad-interim

bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Surjit Singh, states that although the petitioners have joined investigation but recovery of ₹11,43,000/- is to be effected.

Learned counsel for the complainant has vehemently opposed the grant of anticipatory bail to the petitioner. He states that there is prima facie evidence for their involvement in the case.

At this stage, learned counsel for the petitioners contends that the petitioners are willing to furnish surety for a sum of ₹11,43,000/- without prejudice to their rights and contentions.

In view of the submissions of learned counsel for the petitioners and the petitioners having joined investigation, the order dated 15.07.2019 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

The petitioners shall furnish a surety for the aforementioned amount and they shall also not leave the country without prior permission of the Court.

(ANUPINDER SINGH GREWAL)
JUDGE

October 17, 2019

A.Kaundal

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