

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33322-2019

Date of decision: 10.09.2019

Nidhi Sharma

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Aditya Bhushan, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.0548 dated 17.06.2019 under Sections 406 & 420 IPC, registered at Police Station City Thanesar, District Kurukshetra.

While granting interim bail to the petitioner, following order was passed by this Court on 19.08.2019: -

“...Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of Manager, Allahabad Bank, the accused Nos.1 and 2 i.e. the petitioner and her husband – Nikhil Sharma had applied for obtaining a loan of Rs.15 lacs for purchasing a house from accused No.4 – Parveen Kumkar. The accused No.3 – Sanjeev Kumar is a surety of the loan. Later on, the bank sanctioned the loan of Rs.15 lacs and issued a demand draft favouring the respondent No.4 and

thereafter, vide registered sale deed dated 04.09.2015, the house was sold by accused No.4 – Parveen Kumar, in favour of the petitioner and her husband jointly. It is further alleged in the FIR that later on the bank came to know that respondent No.4 has already obtained a loan of Rs.30 lacs from Oriental Bank of Commerce and thus, the accused persons have played a fraud with Allahabad Bank.

Counsel for the petitioner has further argued that prior to sanctioning of the land the officials of the Allahabad Bank have duly verified the title of the house, which is purchased by the petitioner and her husband and they are the bona fide purchaser and even they had no knowledge that the seller has raised a loan from another bank...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from SI Baljeet Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 19.08.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

10.09.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No