

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-61678-2018 (O&M)

Date of Decision:-11.3.2019

Surajmukhi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jitender K. Sehrawat, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against him FIR No.1199 dated 7.12.2018 at Police Station Sadar Hisar, District Hisar under Sections 406, 420, 506 and 120-B of Indian Penal Code, 1860.

The FIR was registered at the instance of Anoop Singh, wherein he alleged that he had purchased land measuring 2 Acres 15 Marlas from petitioner Surajmukhi and her son Sandeep and that three cheques had been given by the complainant to the seller. It is further the case of the complainant that the amount of sale consideration was later given in cash but despite the accused having received the same, he filed complaint under Section 138 of Negotiable Instruments Act.

The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, the petitioner being a lady aged 66 years, deserves special concession in the matter of bail more particularly when the case is mainly based on documentary evidence.

Opposing the petition, the learned State counsel has submitted that CCTV footage collected from the bank reveals that cash had been paid to Sandeep, son of the petitioner, by complainant Anoop Singh, which would substantiate the allegations against the petitioner. It has, however, been informed that the petitioner has since joined investigation.

Having considered rival submissions addressed before this Court and bearing in mind the fact that the aforesaid CCTV footage pertains to some amount being handed over to Sandeep and not to the present petitioner and also that the petitioner is a lady aged 66 years, in my opinion, it is a fit case for grant of anticipatory bail more particularly when the petitioner is already stated to have joined investigation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 20.12.2018 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petition stands accepted accordingly.

11.3.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No