

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

**CRM-M No.64582 of 2018 (O&M)
Date of Decision: 25.03.2019**

Parveen Sharma and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- None for the petitioners.

Mr. C.L.Pawar, Senior Deputy Advocate General, Punjab
for the respondent/State.

Ms. Vijay Lakshmi, Advocate for the complainant.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.111 dated 25.04.2018, under Sections 406 and 420 of the Indian Penal Code, 1860, registered at Police Station Division No.4, District Ludhiana.

This Court, while issuing notice of motion on 27.12.2018, passed the following order:-

“ Petitioners seek concession of pre-arrest bail in case FIR No.111 dated 25.4.2018 under sections 406 and 420 I.P.C, registered at Police Station, Division No.4, District Ludhiana.

Briefly noticed, FIR was got registered in pursuance to an application moved by the complainant under Section 156 (3) Cr.P.C on the allegations that the present petitioners as well as certain other Directors of M/s S.R.S Real Infrastructure Ltd. had allotted a plot against payment of Rs.3,0,8000/- but which was not free from encumbrances.

Counsel submits that out of a total of six accused, three had been arrested. Thereafter a compromise was entered into with the complainant and pursuant to which M/s S.R.S Real Infrastructure Ltd. paid back an amount of Rs.5,20,000/- to the complainant. Taking cognizance of such compromise, three other accused have already been granted regular bail.

Notice of motion, returnable for 18.2.2019.

In the meanwhile, petitioners are directed to join investigation. In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions as envisaged under Section 438 (2) Cr.P.C. ”

Today, learned State Counsel, on instructions from ASI Bhajan Singh, submits that both the petitioners have joined the investigation in terms of order dated 27.12.2018 and their custodial interrogation is no longer required.

In view of above, interim order dated 27.12.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

The observations may not be considered as an expression of opinion on the merits of the case.

March 25, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>