

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

202

CRM-M-41955-2018 (O & M)
Date of Decision:15.03.2019

Neelam

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Anu Garg, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

MANOJ BAJAJ, J.(ORAL)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.597 dated 12.09.2018, under Section 409 of the Indian Penal Code ('IPC' – for short) registered at Police Station Dadri Sadar, District Charkhi Dadri.

On 24.09.2018, at the time of issuing notice of motion, following order was passed:-

“Learned counsel for the petitioner contends that the petitioner has got executed the work in question being the Sarpanch of Village Kaliyana. The existence of the work is not in dispute. The allegation against the petitioner is about irregularities in getting prior sanction for execution of the work, though the Junior Engineer has approved the same.

Notice of motion for 23.10.2018.

Till the next date, arrest of the petitioner is stayed.”

On 06.12.2018, after hearing learned counsel for the parties, this Court had passed the following order:-

“Adjourned to 15.03.2019.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) CrPC. ”

Learned counsel for the petitioner contends that in pursuance of the order dated 06.12.2018, the petitioner has joined the investigation.

Learned State counsel on instructions from SI Parkash submits that the petitioner has joined the investigation and she is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 06.12.2018, is made absolute.

The petition stands allowed.

15.03.2019

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(MANOJ BAJAJ)
JUDGE

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