

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3087-2020
Date of Decision: 12.03.2020

Shakila Devi

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. V.B.Aggarwal, Advocate for the petitioner.

Mr. Baljinder Singh Virk, DAG Haryana assisted by
SI Balraj.

Mr. Sukhdev Singh Gopera, Advocate
for the complainant.

* * *

VIVEK PURI, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.164 dated 15.11.2019, under Section 420 IPC registered at Police Station Panjokhra, District Ambala.

On 24.01.2020 following order was passed:

“Precisely the FIR was registered on the allegations that during the period from 14.9.2019 to 2.11.2019 an amount of Rs. 7,47,700/- has been withdrawn vide various online transactions. During the course of investigation it had emerged that petitioner who is a relative of the complainant was on visiting terms and had been informing about the OTP to her husband Rinku Khan who had been completing the transactions. The transactions spread over a period of more than 1½ months. It has been stated that even the complainant must have been receiving SMS with

regard to the completed transactions but no action was initiated by him.

Notice of motion for 2.3.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

It has been stated by learned counsel for the petitioner that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court and nothing has to be recovered from her. She is no more required for the purpose of investigation.

Learned State counsel, on instructions from SI Balraj, has not disputed the factual position of the case and conceded that custodial interrogation of the petitioner is no more required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 24.01.2020 is made absolute.

The petition stands allowed.

12.03.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No