

SHIVANI GUPTA
2020.07.30 15:40

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

Crl. Misc. M-20310 of 2020
Date of decision: 30.07.2020

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Neelima Pandey

....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Rajnikant Upadhyay, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Vaneet Chauhan, Advocate,
for the complainant.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks anticipatory/pre-arrest bail in a petition filed under Section 438 Cr.P.C. in FIR No. 61 dated 17.06.2020 under Sections 389, 109, 120-B, 193, 211 and 34 IPC, registered at P.S. GRP Ambala Cantt., District Ambala.

On 24.07.2020, this Court had observed as under:-

“Counsel for the petitioner has pointed out that though all the offences are bailable but the petitioner being a lady and having a small child, has an apprehension that she may be detained in a non-bailable offence by the State, in pursuance of the FIR which has been lodged.

State counsel prays for time to seek instructions in this regard.

List on 30.07.2020.”

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Reply by way of affidavit of Sh. Dheeraj Kumar, HPS, DSP, Railways, Ambala Cantt. has been filed. It has also been averred in the said affidavit that all the offences are bailable and no non-bailable offence has been found committed till date. However, the voice sample of the petitioner for matching with the mobile phone recording is required and she has, thus, been asked to join investigation and a notice under Section 91 Cr.P.C. was issued on 04.07.2020 for 08.07.2020 but she has not joined investigation.

Counsel for the petitioner submits that he has instructions that his client is willing to join investigation as and when required and that in case any non-bailable offence as such is added to the FIR in question, the petitioner be issued a notice of one week in that event so that she can avail her remedies in accordance with law.

Counsel for the State has no objection to the said proposal.

Accordingly, the present petition is disposed of with the above undertaking of both the sides.

30.07.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking Yes/No

Whether reportable Yes/No