

CRM-M-22130-2020

Date of Decision:29.09.2020

China Devi

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. J.P. Jangu, Advocate,
for the petitioner.

Mr.Deepak Bhardwaj, DAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

On 10.08.2020, the following order had been passed:-

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks the concession of anticipatory bail, upon FIR no.338, dated 31.5.2020, having been registered at Police Station Model Town, Rewari, alleging therein the commission of offences punishable under Sections 380/457 of the IPC.

Learned counsel for the petitioner submits that, firstly, there is a delay of two months in registering the FIR; second, in fact the co-accused of the petitioner whom the prosecution alleges is her husband, i.e. Vikram, is in fact not her husband and that he in any case has been arrested.

Notice of motion.

Mr.Manish Bansal, learned DAG, Haryana, accepts notice at the asking of the court, he already having received instructions in advance.

He submits that though large articles have been mostly recovered from the aforementioned Vikram, however, pieces of clothing including eight suits etc. are still have to be recovered from the petitioner.

Having considered the matter, without making any comment at this stage on the actual merits of the case, the petitioner is directed to join investigation and upon her so joining if she is sought to be arrested, she shall be released on bail, on her furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilaqa Magistrate.

She shall also comply with all conditions stipulated in Section 438(2) of the Cr.P.C.

If the investigating officer does not actually join the petitioner in investigation, she would appear before the learned Ilaqa

Magistrate immediately, who would then summon the arresting officer and direct him to join her in investigation, in terms of the order of this Court.

Adjourned to 29.9.2020.”

Today, learned State counsel, on instructions, submits that pursuant to the order dated 10.08.2020, the petitioner has joined investigation. However, he submits that she is not co-operating, in as much as she has not got recovered the a cheque book, a pass book, an ATM card, Rs.20,000 (in cash) and some clothing items.

Without making any comment on that contention raised as also the allegations against the petitioner, for the reasons already given in the order dated 10.08.2020, but without making any actual comment on the merits of the case, this petition is allowed, with the order dated 10.08.2020, admitting the petitioner to interim bail, made absolute, on the same terms and conditions, with a further condition imposed that the petitioner shall hand over to the investigating officer, her cheque book, passbook and ATM card.

If she does not do so, the State would be at liberty to file an appropriate application.

September 29, 2020

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO