

S.No.103

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

CRM-M-28249 of 2020 (O&M)

Date of Decision:17.09.2020

Smt. Vandana

.....Petitioner

Vs.

State of Haryana

.....Respondent

=====
IN VIRTUAL COURT
=====

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Manish Mehta, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.34 dated 22.01.2020 registered under Sections 420, 467, 468 & 471 IPC at Police Station City Narnaul.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. In fact, the complainant in the case is the cousin of husband of the petitioner. Earlier, there had been an allegation against the complainant. Being a Panch of the village, the petitioner had to stand in support of the woman who had lodged complaint against the complainant. Feeling aggrieved of that, the complainant has repeatedly been filing false FIRs against the petitioner. Still further, it is submitted that earlier also, for the same fact, the complainant had lodged another FIR. However, the petitioner was granted anticipatory bail in that case. Using the same fact, again the FIR has been lodged by the complainant. The petitioner has not committed any crime as alleged against her. The petitioner shall join the investigation.

Notice of motion.

Mr. R.S. Jhand, Addl. AG, Haryana, accepts notice on behalf of the State. Mr. Rohit Mittal, Advocate has put in appearance on behalf of the complainant.

Learned State Counsel, on instructions from ASI Ram Bhagat, has submitted that there are specific allegations against the petitioner. The case is still at the initial stage. However, it is not disputed that earlier also, for the same fact, another FIR was got registered by the same complainant and in that case, the petitioner has already been granted concession of anticipatory bail.

Although learned counsel for the complainant has reiterated the same allegations, as mentioned by him in the FIR, however, it is not disputed that the complainant had earlier also lodged FIR on the same fact and that the petitioner was granted anticipatory bail in that case.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of her arrest, the petitioner shall be released on bail subject to her furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

September 17, 2020
renu

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No