

S.No.205

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

CRM-M-28275 of 2020 (O&M)

Date of Decision:24.09.2020

Divya Malhotra

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. G.C. Shahpuri, 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.185 dated 29.08.2020 registered under Sections 420/406/120-B IPC (Section 409 IPC added later on) at Police Station Bilaspur, District Yamuna Nagar.

It is contended by learned counsel for the petitioner that the present case had emerged only due to misunderstanding between the parties. However, now the parties have settled their dispute interse. The petitioner is not involved in any other case. The petitioner shall join the investigation. Therefore, the petitioner deserves to be protected against her arrest.

Notice of motion.

Mr. Arun Beniwal, DAG, Haryana, accepts notice on behalf of the State. Mr. Navneet Singh, Advocate appears for the complainant/ respondent No.2.

Learned State Counsel, on instructions from SI Ishwar Chand, has submitted that the name of the petitioner is specifically mentioned in the

FIR. The investigation is at the initial stage. Therefore, the petitioner does not deserve any concession of anticipatory bail.

On the other hand, learned counsel for the complainant, has not disputed the factum regarding the compromise between the parties. Learned counsel has submitted that he has the instructions to submit that the complainant does not have any objection if the petitioner is granted concession of bail.

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 24, 2020
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(RAJBIR SEHRAWAT)
JUDGE

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