

SINDER KAUR

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sachin Gupta Ladwa, Advocate
for the petitioner.

Mr. B.S. Virk, DAG, Haryana.

VIVEK PURI, J. (ORAL)

Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner, namely Sinder Kaur in case FIR No. 704 dated 16.07.2019, registered under Section(s) 406 & 420 IPC at Police Station Thanesar City, District Kurukshetra.

On 04.09.2019, the following order was passed.

“Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner, namely Sinder Kaur in case FIR No. 704 dated 16.07.2019, registered under Section(s) 406& 420 IPC at Police Station Thanesar City, District Kurukshetra.

Learned counsel for the petitioner contended that complainant-Ramesh Chand is habitual of filing such cases on the basis of forged agreements of sale. The present agreement, copy whereof is Annexure P2 on the file, is also a forged document as petitioner has never signed the same nor agreed to any transaction of sale. More so, as per agreement itself, the sale deed was to be executed within five years i.e. upto 08.01.2018 and complainant has neither filed any suit for specific performance nor issued any notice for the same. Learned counsel further contended that connected petition vide CRM-M-36309-2019, filed by her co-accused, namely Prem Chand is pending for hearing before this Court on 13.11.2019, wherein notice of motion has been issued and he has been directed to join the investigation as well. Learned

counsel further also submitted that petitioner is ready to join the investigation.

Notice of motion.

On asking of the Court, Mr. Ashish Sanghi, Deputy Advocate General, Haryana accepts notice on behalf of respondent. A copy of paperbook be provided to him during the course of the day.

List on 13.11.2019 along with petition i.e. CRM-M-36309-2019.

Meanwhile, petitioner(s) is directed to join the investigation. In the event of arrest, petitioner(s) shall be released on interim bail to the satisfaction of the Investigating Officer. The petitioner(s) will join the investigation as and when called for and shall also abide by the conditions as specified under Section 438(2) Cr.P.C”.

It has been stated by the learned counsel for the petitioner that the case has been registered at the instance of Ramesh Chander on the allegations that an agreement has been executed by Sinder Kaur, petitioner-wife and he has alleged that the petitioner alongwith her husband want to grab the land which is subject matter in the agreement.

Learned State counsel on instructions from ASI Mohinder Singh has not disputed factual position and states that the petitioner has joined the investigation and nothing has to be recovered from her.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 04.09.2019, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

The petition stands disposed of.

13.01.2020
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(VIVEK PURI)
JUDGE

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