

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40605-2019

Date of Decision: 04.02.2020

Jaffrana

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gaurav Khokhar, Advocate for
Mr. Himanshu Rao, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.218 dated 17.05.2018 under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Dharuhera, District Rewari. She apprehended her arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 23.09.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the complainant had advanced loan of Rs.1,60,000/- in the year 2010 and the petitioner had mortgaged her land with the Bank. According to him, before sanctioning the loan, the Bank officials satisfied themselves regarding title and ownership of the petitioner. However, in the year 2018, the FIR has been lodged on the ground that the land shown in the revenue record is actually less

than her actual share. He submits that in the given facts custodial interrogation of the petitioner may not be required.

Notice of motion for 04.02.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted herself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by HC Balwan does not dispute this fact that the petitioner has joined the investigation and states that she is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 23.09.2019 is made absolute.

04.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No