

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49228-2019

Date of Decision: 19.02.2020

Neelam Rani

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Nain, 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.534 dated 14.06.2019, under Sections 406 and 420 IPC (Sections 467, 468, 471 and 120-B IPC added vide order dated 06.01.2020), registered at Police Station City Thanesar, District Kurukshetra. She apprehended her arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 21.11.2019, whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned State counsel on instructions from SI Baljit Singh has apprised the Court that the plot in question was allegedly sold by Parveen Sharma to Pardeep Kumar and his wife Neelam Rani through sale deed dated 30.06.2016 and for the said purchase, a loan was obtained by Pardeep Kumar and his wife Neelam Rani for a sum of ₹24,00,000/- from Allahabad Bank. It is submitted that on previous occasions, Parveen Sharma sold this piece of land to different persons and in all, there are 5 FIRs against him and in two of these FIRs, Pardeep Kumar is also a co-accused. It is not disputed that petitioner Neelam Rani is neither a signatory nor

involved in other cases except the present FIR.

Adjourned to 19.02.2020.

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 SI Ram Singh has apprised the Court that indeed the the petitioner has joined the investigation, however, according to her, the petitioner does not deserve the concession of pre-arrest bail considering the allegations in the FIR. However, it is not disputed that she is not an accused in the other cases, wherein her husband is an accused.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 21.11.2019 is made absolute.

19.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No