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

CRM-M-5750-2021

Date of Decision: 01.11.2021

Kela

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sushil Bhardwaj, Advocate for the petitioner.

Mr. Sukhdeep Parmar, 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.246 dated 12.06.2020 under Sections 406, 420, 467, 468, 471 and 120-B IPC, registered at Police Station Sectors 32-33, Karnal, District Karnal. The petitioner apprehended her arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 09.02.2021, 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 contends that the FIR was lodged by the Branch Manager of IFL Housing Finance Company, Karnal and the allegations were directed against the co-accused Guddi Devi, who had obtained the finance facility for purchase of the property. Learned counsel contends that indeed the property was sold by the petitioner in favour of Guddi Devi, but according to the complainant, the said property is different than the subject matter of the land agreement. He has pointed out that the offence, if any, is committed by Guddi Devi as the petitioner is stranger to the

said loan transaction. According to him, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 10.05.2021.

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 ASI Naresh Kumar does not dispute this fact that the petitioner has joined the investigation and 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 09.02.2021 is made absolute.

01.11.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No