

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

**CRM-M No.24439 of 2021 (O&M)
Date of Decision: 23.08.2021**

Saroj Rani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Tarun Sharma, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab for the respondent.

Ms. Gurvir Kaur Gill, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Second petition has been filed under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail to the petitioner in FIR No.5 dated 13.01.2019 (P-1), under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Sadar Fazilka, District Fazilka.

This Court, on previous date of hearing i.e. 09.07.2021, passed the following order:-

“ Learned counsel for the petitioner, on instructions, states that an amount of ₹ 50,000/- shall be paid to the complainant within four weeks, subject to the final outcome of criminal case.

Posted on 23.08.2021.

In the meanwhile, petitioner will join investigation before the Investigating Officer. In the event of her arrest, Arresting Officer would admit her to interim bail, till the next date of hearing, on her furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to

abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973. ”

Contents that in terms of the above order, an amount of ₹ 50,000/- has already been paid to the complainant and petitioner has joined the investigation on 19.08.2021.

The above factual position is duly acknowledged by learned State Counsel, on instructions from the police official concerned. Also states that custodial interrogation of the petitioner is not required.

In view of above, interim order dated 09.07.2021 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Again clarified that deposit of ₹ 50,000/- shall be subject to the final outcome of the criminal case and would not be construed as adverse to the defence of the petitioner that may be raised before the learned trial Court.

The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

Disposed off accordingly.

August 23rd, 2021
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>