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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.28358 of 2021  
Date of Decision: 14.10.2021

KUSUM GUPTA  
Vs  
STATE OF HARYANA

.....Petitioner

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Sandeep Verma, Advocate  
for the petitioner.

Mr. Anant Kataria, D.A.G., Haryana.  
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**RAJ MOHAN SINGH, J. (Oral)**

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.369 dated 07.12.2020 registered under Sections 406, 420, 506 & 34 IPC at Police Station Butana, Karnal.

As per prosecution case, some amount was paid in cash to Shaweta Gupta . The complainant allegedly paid the amount on different dates to the accused through bank draft or in cash. Some of the amount was transferred in the bank account of the petitioner. Some amount was transferred through bank draft in the account of Aviral Gupta. Remaining amount was allegedly paid in cash to Shaweta Gupta.

As per further allegations, Adarsh Gupta used to write his name as Adarsh Bansal, who is brother of deceased Aviral Gupta and has been living separately from his mother Kusum Gupta i.e. the petitioner and his brother Aviral Gupta for the last more than eight years. He was not having good relations with his family due to execution of Will and Power of Attorney by the petitioner in favour of Aviral Gupta on 24.08.2015 and also on account of transfer of house in favour of Aviral Gupta on 24.08.2015. Aviral Gupta started misbehaving with his mother and she got the GPA cancelled on 15.3.2018 but she was thrown out of the house resulting in cancellation of the transfer deed. Cancellation was allowed on 22.11.2018 and thereafter Aviral Gupta and Shaweta Gupta filed CWP No. 5681 of 2019 titled '*Aviral Gupta and another Vs. State of Haryana and others*' in the High Court and the said petition is still pending with interim order of stay of operation of the order dated 09.01.2019. The role attributed to Adarsh Bansal is that he handed over the money to his brother and mother but the same has not been fortified on the basis of material on record. Ravi Gupta is father-in-law of Aviral Gupta, who has expired. No amount was paid to Ravi Gupta.

Anticipatory bails have been granted in favour of Shaweta Gupta, Ravi Kumar @ Ravi Gupta and Adarsh Bansal

vide order dated 08.07.2021 passed in CRM-M No.3863 of 2021, CRM-M No.5402 of 2021 and CRM-M No.17727 of 2021 respectively.

Learned State counsel on instructions from SI Sukhbir Singh submits that the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer and is no more required for further investigation of the case.

In view of statement made by learned State counsel, the interim order dated 22.07.2021 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

October 14, 2021

*Atik*

**(RAJ MOHAN SINGH)**  
**JUDGE**

**Whether speaking/reasoned**  
**Whether reportable**

**Yes/No**  
**Yes/No**