

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-17486-2021 in/and
CRM-M-27825-2020
Date of Decision : 22.11.2021

Harshdeep Chauhan

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harpreet S. Rakhra, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Manmeet Singh Rana, Advocate for respondents No.3 to 5.

Harsimran Singh Sethi, J. (Oral)
CRM-17486-2021

As prayed for, application is allowed.

Annexures P/7 and P/8 are taken on record.

CRM-M-27825-2020

The present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioner.

In the petition it has been averred that though there is no FIR registered against the petitioner as of now but, as there is a likelihood of registration of an FIR, the petitioner may kindly be granted the benefit of anticipatory bail. It is further submitted in the petition that the said apprehension of registration of an FIR is on the basis of notice dated 20.08.2020 (Annexure P/1), which has been issued to the petitioner, wherein, she has been asked to associate herself in respect of complaint No.1495 PTM, dated 31.07.2020 submitted before

the Economic Offences Wing, District Jalandhar Rural, Division No.2, Near Patel Chowk, Jalandhar.

At the time of hearing, learned counsel for the petitioner submits that as no FIR has been registered against the petitioner so far, the petitioner is not pressing her prayer for the grant of anticipatory bail but, submits that the petitioner may not be called for an open enquiry, which is sought to be conducted in complaint No.1495 PTM, dated 31.07.2020 and the reply, which has already been submitted by the petitioner in the said complaint, be treated as her stand qua the allegations mentioned in the said complaint.

Learned State counsel submits that it was only in the interest of the petitioner that she could have come and explain her stand qua the allegations mentioned against her in the said complaint so that Investigating Agency could analyze the same so as to decide the future course of action but, as the petitioner has stated that the written reply already filed by her be taken as her stand, she will not be called for associating herself in person in an open enquiry being conducted in complaint No.1495 PTM dated 31.07.2020 and appropriate action, which needs to be taken by the Investigating Agency in respect of the complaint received against the petitioner, will be assessed and taken on the basis of the material already on record qua the said complaint.

Learned counsel for the petitioner submits that keeping in view the said stand of the respondent-State, the grievance of the petitioner as raised in the present petition has been redressed and he does not press this petition any further and the same may be disposed of as such.

Ordered accordingly.

November 22, 2021
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No