

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

Sr. No.206

CRM-M-42072-2021

Date of Decision: 02.12.2021

SANJA DEVI

... Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Devender Arya, Advocate,
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Harsimran Singh Sethi, J.(Oral)

The petitioner is seeking anticipatory bail in FIR No.250 dated 08.06.2021 under Section 174-A of the IPC registered at Police Station City Mahendergarh, District Mahendergarh.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 07.10.2021.

Order dated 07.10.2021 is as under:-

“Present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.250 dated 08.06.2021, registered under Section 174-A of the IPC, at Police Station City Mahendergarh, District Mahendergarh.

Learned counsel for the petitioner argues that a complaint was filed by the complainant-Mahender Singh in the year 2014 with regard to the violation of Negotiable Instruments Act, 1881 and during the said proceedings, the petitioner was declared as a proclaimed offender. Learned counsel for the petitioner further argues that the petitioner is a widow lady of 52 years of age and the dispute between the parties has already been

compromised, as the amount for which the complainant was entitled for, has already been paid to him up to his satisfaction and the complaint has already been withdrawn and therefore, as the petitioner is ready to join the proceedings and cooperate, she be granted the benefit of anticipatory bail.

Notice of motion for 02.12.2021.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State.

Learned State counsel submits that the petitioner is evading the law successfully for more than seven years and now, she has approached this Court seeking protection of law, which may not be extended to her.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the petitioner is a widow lady of 52 years of age and the liability against complainant has already been discharged by her to the satisfaction of the complainant and the complaint has already been withdrawn, the purpose of investigation will be achieved in case the petitioner is directed to join the investigation and cooperate.

Hence, the petitioner is directed to join the investigation forthwith. In the event of her arrest, she shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on her furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

(i) That she shall make herself available for interrogation by the police officer as and when required.

(ii) That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.

(iii) That she shall not leave India without prior permission of the Court.

(iv) That she shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C. ”

Learned State counsel on instructions from ASI Suresh Suri, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

CRM-M-42072-2021 :3:

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case she is required for the same in future as well.

In view of the above, the order dated 07.10.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. She shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate order.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

02.12.2021
rimpal

Whether speaking/reasoned : Yes

Whether reportable : No