

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

203

**CRM-M-8111-2019 (O&M)
Date of Decision : 14.11.2022**

Parveen Chawla @ Nehla and anotherPetitioners

Versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. A.P.S. Deol, Senior Advocate with
Mr. Rahul Vijay Singh Chugh, Advocate
for the petitioners.

Mr. Munish Sharma, Asstt. A.G., Haryana
for the respondent-State.

Mr. Hemant Bassi, Advocate
for the complainant.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioners have filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.7 dated 08.01.2019 registered under Sections 384, 388 and 34 of the Indian Penal Code, 1860 (to which Section 120-B of the IPC was added later on) at Police Station City Tohana District, Fatehabad.

The above-said FIR was registered on a complaint made by complainant Ashok Kumar, who is father of one of the accused in case FIR No.190 dated 29.04.2017 registered under Sections 376-D, 120-B and 506 of the IPC and Section 67 of the I.T. Act at Police Station City, Tohana, alleging that the petitioners along with others under a conspiracy had been pressurizing the complainant party and demanding

rupees 02 crore under a pressure that otherwise they will get the evidence of the prosecutix recorded and the accused (including son of the complainant) will be convicted in the said case.

Vide order dated 14.05.2019 passed by this Court, the petitioners were granted interim anticipatory bail with direction to appear before the Investigating Officer.

In compliance with order dated 10.05.2022 passed by this Court, reply by way of an affidavit dated 30.08.2022 has been filed by the petitioners in the Court which is taken on record.

Learned counsel for the petitioners contends that the petitioners have been falsely implicated in the present case. In compliance with order dated 14.05.2019 passed by this Court, the petitioners have joined the investigation. The petitioners have already given their voice samples. The application under Section 340 read with Section 195 of the Cr.P.C. filed by the complainant-party has been dismissed by learned Judicial Magistrate First Class, Tohana vide order dated 31.05.2022. Co-accused Ramesh Kumar and Mohit Kukreja have already been granted concession of anticipatory bail by this Court vide order dated 10.12.2021. The custodial interrogations of the petitioners are not required in the case.

On the other hand, learned counsel for the complainant vehemently opposed the present petition on the ground that petitioners did not cooperate in the investigation and avoid to give their voice samples. By producing a forged medical certificate, the petitioners tried to mislead the Court. The petitioners had misused the concession of interim anticipatory bail granted by this Court.

Learned State counsel, on instructions from SI Baldev Singh, submits that in pursuance of order dated 14.05.2019 passed by this Court, the petitioners have joined the investigation and are no longer required for custodial interrogation. The petitioners have also given their voice samples.

In view of the above and the petitioners having joined investigation, the order dated 14.05.2019 granting interim bail to the petitioners is made absolute.

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

The petition stands disposed of.

Misc. Application(s) pending, if any, shall stand disposed of accordingly.

(ASHOK KUMAR VERMA)
JUDGE

14.11.2022
Kothiyal

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