

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

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CRM-M-15520-2021

Date of decision: 16.03.2022

NITIKA BHATIA

.....PETITIONER

Versus

STATE OF U.T. CHANDIGARH

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Vimal Kumar Gupta, Advocate
for the petitioner.

Mr. Naresh Kumar, Advocate for
Mr. Abhinav Gupta, Addl. P.P., U.T., Chandigarh
for the respondent-State.

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner, in case, FIR No. 358 dated 25.12.2018 registered under Sections 420/467/468/471/120-B of the Indian Penal Code, 1860 at Police Station Industrial Area, Chandigarh.

On the previous date of hearing i.e. 09.03.2022, this Court granted interim anticipatory bail to the petitioner with direction to join the investigation. Relevant part of order dated 09.03.2022 reads as under :-

“Learned Counsel for the petitioner requests for an adjournment as he has to implead one Balbir Singh as a party in connected petition CRM-M-19025-2021.

Adjourned to 16.03.2022.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the

event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C.”

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has submitted that there is no need for impleading Balbir Singh as party in the present petition and application for impleadment is only required to be filed in the connected petition CRM-M-19025-2021. Further, in compliance with order dated 09.03.2022, the petitioner has joined the investigation and she may be granted anticipatory bail as her custodial interrogation is not required in the case.

Learned State Counsel has, on instructions from A.S.I. Parvinder Singh, acknowledged that in compliance with order dated 09.03.2022 passed by this Court, the petitioner has joined the investigation and that her custodial interrogation in the present case is not required.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserve grant of anticipatory bail.

Therefore, the petition is allowed and order dated 09.03.2022 granting interim bail to the petitioner is made absolute.

However, the petitioner shall join the investigation as and when called

upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to her.

16.03.2022
kavneet singh

(SANT PARKASH)
JUDGE

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