

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-20286-2022
Decided on :13.07.2022

Narinder Kaur

. . . Petitioner

Versus

State of Haryana

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Vazir Singh Mor, Advocate and
Ms. Harmanpreet Kaur (Simmi), Advocate
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. Ashit Malik, Advocate
for the complainant.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 239 dated 10.08.2021 registered under Sections 420, 406 and 120-B of the Indian Penal Code, 1860 (Sections 3 and 4 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 added later on) registered at Police Station Ram Nagar, District Karnal.

On 12.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that there is no specific allegation levelled against the petitioner and the petitioner has been made as an accused only on account of the fact that the petitioner is the wife of Bikramjeet Singh who is the Managing Director of Anantha Global Herbocare Private Limited company and the present petitioner is neither the Director nor has any concern with the said company. It is further submitted that

neither any money has been transferred into the account of the petitioner nor the petitioner has ever induced any person so as to constitute offence under Section 420 of IPC nor there is any allegation of criminal breach of trust against the petitioner so as to constitute offence under Section 406 of IPC. It is further argued that the petitioner is a lady and she is not involved in any other case. It is further contended that although, the petitioner is a Director of Wardhan Natural Care Private Limited Company but it is not the said company against whom the allegations have been levelled in the FIR. It is further submitted that in order to show her bona fide, without admitting her liability or involvement in the present case, the petitioner is ready to bring a demand draft amounting to Rs.50,000/-, prepared in the name of complainant on the next date of hearing, which would be then paid to the complainant.

Notice of motion for 13.07.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

Let the demand draft amounting to Rs.50,000/- prepared in the name of complainant be handed over to the concerned Investigating Officer when the petitioner goes to join the investigation and the Investigating Officer is further directed to hand over the same to the complainant.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order, the petitioner has already handed over the demand draft to the tune of Rs.50,000/- in the name of complainant to the

Investigating Officer and the same has been handed over by the Investigating Officer to the complainant. It is further submitted that the petitioner has joined the investigation.

Learned counsel for the State has submitted that although, the petitioner has joined the investigation but the entire amount has not been recovered from the petitioner.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 12.05.2022 and also the fact that the petitioner has joined the investigation and the demand draft to the tune of Rs.50,000/- has already been paid by the petitioner to the complainant, the present petition is allowed and the interim order dated 12.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

July 13th,2022
Mehak

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