

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

CRM-M-24600-2021

Date of decision : 10.03.2022

Jyoti

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vaibhav Narang, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Ms. Manjari Joshi, Advocate for respondent No.2.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.28 dated 02.02.2020 under Sections 406, 420 and 120-B Indian Penal Code, 1860 registered at Police Station Dhakoli, District SAS Nagar, Mohali, who apprehends her arrest at the hands of Police.

On 01.07.2021, this Court had passed the following order:-

*“Learned counsel contends that a loan of Rs. 8,00,000/- was advanced to the petitioner by the bank in the year 2015 and out of it, a sum of approximately Rs.2,70,000/- has been paid. Learned counsel contends that for non-payment of loan amount, the subject FIR No.28 dated 02.02.2020 was lodged and as the petitioner is willing to clear the entire loan amount as offered by her through communication (Annexure P-2), the custodial interrogation of the petitioner may not be necessary. Learned counsel undertakes to bring a draft amounting to Rs.2,50,000/- in favour of the bank on the next date of hearing, without prejudice to the rights of the complainant-bank.
Notice of motion for 12.07.2021.*

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated herself in the investigation and cooperated during interrogation. Apart from it, the dispute stands settled between the parties as the entire debt of the complainant has been cleared.

This fact is not disputed by learned counsel for the complainant, who states that indeed the borrower has paid the outstanding amount to the complainant/Bank.

Learned State counsel who is instructed by HC Gulab Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 01.07.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

10.03.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No