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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.24622 of 2021 (O&M)
Decided on: 21.03.2022

Kamla Devi

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Raman Chawla, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 109 dated 08.04.2021 under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station Siwani, District Bhiwani.

The operative part of the order dated 01.07.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Counsel for the petitioner contends that the petitioner, who is a 61 years old widow, has been falsely framed in the case on the allegation that she is the beneficiary in a sale deed executed in the year 2010. Counsel contends that the petitioner is an illiterate lady and thumb marks the documents. The sale deed had been executed by his husband, who acted as her attorney, but he has recently expired. It is his argument that a civil suit (Annexure P-1) had been instituted by the complainant

prior to lodging of the complaint, challenging the sale deed in which the petitioner is impleaded as one of the defendants. He urges that a civil dispute has been deliberately given a criminal color to pressurize the petitioner.

Notice of motion....”

Later on, the interim order was continued and the petitioner was again directed to appear before the Investigating Officer.

Counsel for the petitioner has argued that the petitioner is aged about 65 years and in pursuance to the order dated 01.07.2021, she has appeared before the Investigating Officer and joined the investigation.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, considering the fact that the petitioner is on bail since July, 2021 and there is no allegation that she has misused the concession of bail, this petition is allowed and the interim bail granted to the petitioner vide order dated 01.07.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

21.03.2022
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Whether speaking/reasoned Yes/No

Whether reportable: Yes/No