

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

204

CRM M-23665 of 2022

Date of Decision: July 26, 2022

Manisha Rani

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present : Mr. Piyush Setia, Advocate
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.79 dated 30.04.2022 registered under Sections 420, 380, 120-B IPC registered at Police Station Sadar Fazilka, District Fazilka.

On 27.05.2022 while issuing notice of motion in the present petition, this Court was pleased to pass the following order:-

Inter alia contends that the petitioner is wife of the complainant and civil suit was filed by the complainant to challenge the transfer deed dated 20.11.2020 registered on 24.11.2020 executed in favour of the petitioner and in the said case, on 06.01.2021, when the interim stay was not granted then, the complainant had given a complaint dated 26.06.2021, on the basis of which, the present FIR has been registered. It is further submitted that the petitioner has also filed cases under the Domestic Violence Act

against the complainant and the petitioner is not involved in any other case.

Notice of motion for 26.07.2022.

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.

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 27.05.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Jugraj Singh, has submitted that the petitioner has joined the investigation on 07.06.2022 and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 27.05.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 27.05.2022 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.

July 26, 2022

amit rana

(VIKAS BAHL)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No