

209

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

CRM-M-40668-2022

Date of decision : 29.10.2022

Suman

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.244 dated 31.07.2022 registered under Sections 420/467/468/471 of the Indian Penal Code, 1860 at Police Station City Mahendergarh, District Mahendergarh, Haryana.

On 07.09.2022, this Court had passed the following order:-

“Inter alia contends that in the present case, the property which the petitioner had mortgaged, has not been sold by her and even as per the case of the prosecution, outstanding against the petitioner is Rs.5,71,194/- along with interest as on 31.03.2022 and in order to show her bonafide and without admitting her liability, the petitioner is ready to pay the said amount to the Mahendergarh, District Primary Co-operative Agricultural and Rural

Development Bank Society, Mahendergarh.

Notice of motion for 13.10.2022.

In the meantime, in the event of arrest, the petitioner is ordered to 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.

The petitioner is directed to deposit Rs.5,71,194/- in the office of Mahendergarh, District Primary Co-operative Agricultural and Rural Development Bank Society, Mahendergarh within a period of 4 weeks from today and after depositing the same, produce the receipt before the Investigating Officer and the Investigating Officer would verify the factum of the said deposit.

It is made clear that in case the said amount is not deposited within a period of 4 weeks, then the interim order granted is liable to be vacated. The above said payment to the Mahendergarh, District Primary Co-operative Agricultural and Rural Development Bank Society, Mahendergarh would be not construed as an admission of guilt by the petitioner. ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 07.09.2022, the petitioner has joined the investigation. It is further submitted that in pursuance of order dated 07.09.2022, the petitioner has deposited an amount of Rs.5,71,194/- in the office of Mahendergarh, District Primary Cooperative Agricultural and Rural Development Bank Society, Mahendergarh.

Learned counsel for the State, on instructions from SI Abdul

Majid, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation and has also reaffirmed the fact of deposit of the abovesaid amount.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 07.09.2022 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 07.09.2022 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.

29.10.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No