

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-59897-2022 (O&M)

Date of Decision: 21.12.2022

Neetu Malhotra

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vivek Goyal, Advocate,
for the petitioner.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.173 dated 23.11.2022 registered under Sections 406, 420, 120-B IPC at Police Station Mansa Devi Complex, District Panchkula.

Counsel for the petitioner *inter alia* contends that the petitioner is falsely implicated in the present case and even husband of the petitioner namely Manav is also involved in the present case and that said Manav has been provided interim protection by the Court of learned Additional Sessions Judge, Panchkula vide order dated 14.9.2022 and the investigating officer was directed to give prior notice of 7 days to Manav in case he is to be arrested and copy of the said order is supplied which is taken on record. He further submits that even in case of the present petitioner, no notice has been issued by the police under Section 41-A of Cr.P.C. but the police intends to arrest the petitioner.

Notice of motion.

Mr. Naveen Kumar Sheoran, DAG, Haryana accepts notice on behalf of the State and on instructions from SI Sushil Kumar has not disputed the fact that all the offences are punishable to the extent of sentence of 7 years but no notice under Section 41-A of Cr.P.C. has been issued to the petitioner in conformity with the directions issued by Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar** (2014) 8 SCC 273.

In view of above, the present petition is hereby disposed of with the direction that in case the police intends to arrest the petitioner, proper prior notice as per provisions of Section 41-A of Cr.P.C. be issued to her.

(KARAMJIT SINGH)
JUDGE

December 21, 2022
Paritosh Kumar

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