

203/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1771-2023 (O&M)

Date of Decision: 19.01.2023

SONIA

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Aditya Sanghi and Mr. Sumit Sharma, Advocates
for the petitioner.
Mr. Ranvir Singh Arya, Addl. AG Haryana.
Mr. Sanjiv Kumar Aggarwal, Advocate with
Mr. Tejas Bansal and Ojas Banasal, Advocates
for the complainant.

* * * *

VIVEK PURI, J. (ORAL)

On 13.01.2023, following order was passed:

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.469 dated 22.08.2022 registered under Sections 306/34 IPC at Police Station City Sonepat.

Learned counsel for the petitioner contends that the FIR has been lodged by Pankaj Bhardwaj, the son of Satish Kumar-deceased. The allegations as put forth are to the effect that the deceased had recorded his suicide note alleging that about 04 years prior to the occurrence, he had advanced a sum of Rs.15,00,000/- to Sanjeev and Pardeep, the co-accused. The petitioner is the wife of Pardeep. She is running fifth month of pregnancy. There is no document to indicate any such transfer of the amount. Even, no effort was made by the deceased to enforce the recovery of amount for a period of 04 years. Furthermore, the petitioner had lodged an FIR bearing No.626 dated 21.02.2022, under Sections 376/506 IPC, at Police Station Bawana, District Outer North, Delhi against the deceased. Phool Singh, the father-in-law and Uma Devi, the sister-in-law (Jethani) have been granted interim bail by this Court in terms of order dated 21.08.2022 passed in CRM-M-43188-2022.

Notice of motion.

Mr. Ranvir Singh Arya, Addl. AG, Haryana accepts notice on behalf of the respondent-State.

Adjourned to 19.01.2023.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the

condition that she joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-43188-2022.”

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Bijender, has submitted that the petitioner has joined the investigation but submitted that the mobile phone of the petitioner has not been recovered.

On a query, as to whether there is anything incriminating in the mobile phone in the instant case, the answer is in negative.

Learned counsel for the complainant has opposed the bail application on the score that there is an entry in the ledger of the deceased with regard to the advancing of the amount of Rs. 15 Lakhs to the husband of petitioner and his relatives.

Be that as it may, the alleged monetary transaction took place about 4 years ago and there is nothing to indicate that the deceased had many any effort to enforce the recovery of the amount. The petitioner has joined the investigation in pursuance of the interim directions.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.01.2023 is made absolute.

19.01.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No