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207 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1807-2023
Date of Decision: 22.03.2023

Pooja Petitioner
Versus
State of Haryana Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Ram Pal Verma, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

HARSH BUNGER J. (ORAL)

The present petition under Section 438 of the Code of Criminal Procedure is filed seeking grant of anticipatory bail to the petitioner in case FIR No.864 dated 14.12.2022, under Sections 195-A and 506 of the Indian Penal Code, registered at Police Station Kundli, District Sonapat.

On 24.01.2023, the following order was passed by this Court :-

“Present petition under Section 438 Cr.P.C. is filed seeking grant of anticipatory bail to the petitioner in case FIR No.864 dated 14.12.2022, under Sections 195-A and 506 IPC, registered at Police Station Kundli, District Sonapat.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case at the behest of complainant. It is further submitted that the petitioner has not given any threats to the complainant either physically or on phone and a bare perusal of the present FIR would substantiate the same, wherein it has been mentioned

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that the threat has not been found in the recording furnished by the complainant to the police. Learned counsel further submits that the petitioner is ready and willing to join the investigation.

Status report by way of affidavit dated 23.01.2023 of Mr. Vipin Kadian, H.P.S., Assistant Commissioner of Police, Rai, Sonipat, filed by learned State counsel in Court today is taken on record, subject to all just exceptions. Copy thereof is supplied to learned counsel for the petitioner, in Court today itself.

While relying upon the aforesaid status report, learned State counsel opposes the bail plea of petitioner on the ground of seriousness of offences. However, it is not disputed by learned State counsel that in the recording furnished by complainant to police, no threat was found.

List on 22.03.2023.

In the meanwhile, in the event of arrest of the petitioner, she shall be released on ad interim bail to the satisfaction of the Investigating/Arresting Officer. However, she shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that pursuant to the aforesaid order, petitioner has joined the investigation.

Learned State counsel, on instructions from Assistant Sub Inspector Ajmer, has not disputed the aforesaid fact of joining the investigation by petitioner and submits that her custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioner has joined the investigation and her

custodial interrogation is not required at this stage, order dated 24.01.2023,

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passed by this Court, is made absolute.

However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that if the petitioner fails to comply with any of the directions issued above and the bail conditions, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioner.

Present petition is accordingly disposed of.

22.03.2023
Apurva

(HARSH BUNGER)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No