

2023:PHHC:073414
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-3417-2023 (O&M)
Date of decision: 19.05.2023

Gursharanjit Kaur

....Petitioner

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Shubham Mehta, Advocate for
Mr. D.S. Gandhi, Advocate for the petitioner

Mr. Praveen Bhadu, AAG Haryana

AMAN CHAUDHARY. J.

1. On 02.03.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No.93 dated 15.03.2022, registered under Sections 406 and 420 of the IPC at Police Station Sector 7, Panchkula.

Learned counsel contends that the allegation against the petitioner are of having received amount for providing jobs in Government Department. He submits that there is a compromise that has been arrived at between the parties pursuant thereto an amount, as settled, has already been paid to the complainant and the balance will be paid on or before 28.03.2023. Learned counsel submits that the petitioner is ready and willing to join investigation as and when required by the investigating agency.

Mr. Rakesh Dogra, complainant/respondent No.2 appears in person and affirms the aforesaid facts as stated by the learned counsel for the petitioner and submits that he has no objection to grant of interim anticipatory bail to the petitioner.

Meanwhile, the petitioner is directed to join the investigation on or before 15.03.2023. In the event of arrest of the petitioner, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 19.05.2023.”

2. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, she shall make herself available without demur.
3. Learned State counsel on instructions from SI Yadwinder affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 02.03.2023 granting interim bail to her, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.
5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to her.

(AMAN CHAUDHARY)
JUDGE

May 19, 2023
M.Kamra

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