

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Sr. No.202(1)

CRM-M No. 3890 of 2023

Date of decision : 09.05.2023

Raj Rani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Ms. Gagandeep Kaur, Advocate for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

(1) The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 102 dated 18.12.2022 registered under Sections 406, 420 and 120-B IPC at Police Station Maloudh, District Khanna (Ludhiana).

(2) On 24.01.2023, this Court had passed the following order : -

“Learned counsel for the petitioner inter-alia contends that the petitioner is a 69 year old lady; she has no other criminal antecedents; the subject matter of the FIR in question is purely civil in nature; in fact, a civil suit has been preferred by the complainant against the petitioner side seeking specific performance of agreement to sell in question; the FIR has been lodged only to arm-twist the petitioner; the petitioner is the one who has been defrauded by the complainant and a complaint in this regard dated 09.12.2021 has been filed with the police by the petitioner

side and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Mr.Arun Luthra, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 25.04.2023.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.102, dated 18.12.2022, registered under Sections 406, 420, 120-B IPC at Police Station Maloudh, District Khanna, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."

(3) Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation and that her custodial interrogation is not required by the State.

(4) After considering the submissions made on behalf of the petitioner as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioner abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 24.01.2023, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

09.05.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No