

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-23412-2023

Date of Decision:29.08.2023

Sunhari Devi

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gurpeet Jayia, Advocate for
Mr. N.C. Manchanda, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.218 dated 26.05.2022 registered under Sections 420 & 506 of the IPC registered at Police Station Sadar Pehowa, District Kurukshetra.

On 09.05.2023, following order was passed:

“Prayer in this petition is for grant of anticipatory bail in case FIR No.218 dated 26.05.2022 registered under Sections 420 and 506 IPC at Police Station Sadar Pehowa, District Kurukshetra.

FIR was lodged on the complaint of one Paramjeet Kaur, as per which land of particular khasra numbers, which was abutting to the road and on which a tubewell was installed, was shown to her family members for the purpose of sale. However, in the agreement to sell, different land was mentioned and sale deed was executed in respect thereof. It is alleged that in this way, complainant and her family members have been defrauded.

It is contended by learned counsel for the petitioner that complainant has no locus to even file the complaint because she is not the beneficiary and rather it is Narinder Kaur in whosoever favour, the sale deed was executed and who never made any complaint. It is

also submitted that petitioner is an old lady of 79 years. It is further submitted the sale deed was executed on behalf of the petitioner by co-accused Manish Kumar, who has already been granted the benefit of anticipatory bail by this Court vide order dated 12.12.2022 in CRM-M-42190 of 2022 (O&M) (Annexure P.3).

Notice of motion.

Mr. Randhir Singh, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondent- State.

Adjourned to 26.07.2023.

In the meantime, in case of her arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. She shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. She shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

It is conceded by learned State counsel that petitioner has since joined the investigation. In view of the same and having regard to the factual position noticed earlier on 09.05.2023, the petition is allowed and the order dated 09.05.2023 granting interim anticipatory bail to the petitioner, is made absolute.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 29, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No