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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-30458-2023 (O&M)

Date of decision : 31.10.2023

Pinki Oberoy

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kunal Dawar, Advocate,
and Mr. Dinesh Poswal, Advocate,
for the petitioner.

Mr. Vikram Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.404 dated 10.05.2023, under Sections 457, 380, 34 of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station Sector 58, Faridabad.

2. Above FIR was registered on the basis of statement made by one Reena with the allegations that petitioner committed theft in the premises of complainant.

3. This Court, on 14.06.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

*“Contends inter alia that the petitioner was not
named in the FIR, rather nominated on the basis of*

disclosure statement made by co-accused (son of petitioner).

Notice of motion for 31.07.2023.

On asking of the Court, Mr. Kiran Pal Singh, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent and seeks time to have instructions or file response in the matter.

Requisite copies of paper-book be supplied to learned State Counsel during the course of day.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and her custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 14.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.

31.10.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No