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

**CRM-M-41640-2023
Date of Decision: 05.10.2023**

Madhubala Mehta

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Lupil Gupta, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case bearing FIR No.563 dated 06.11.2019 under Sections 174-A IPC, registered at Police Station Pataudi, District Gurugram.

2. Learned counsel for the petitioner has submitted that the petitioner was declared as P.O. vide order dated 21.09.2019 (Annexure P-2) and thereafter, the aforesaid FIR under Section 174-A IPC was lodged against her. He further submitted that in some of the other cases, the petitioner has been granted the concession of anticipatory bail which were filed under Section 138 of the N.I. Act and she may be granted anticipatory bail in the present case as well.

3. I have heard the learned counsel for the petitioner.

4. It is a case where the petitioner is declared as P.O. vide order dated 21.09.2019 (Annexure P-2) and more than 4 years have elapsed that she has been declared as P.O. As per the learned counsel for the petitioner,

the petitioner has not challenged the orders vide which she was declared P.O. The present is a petition for grant of anticipatory bail to the petitioner in the FIR under Section 174-A IPC which was lodged as a consequence of the petitioner being an accused in another case. Hon'ble Supreme Court in "State of M.P Vs Pradeep Sharma", 2014(2) SCC 171, has held that the anticipatory bail cannot be granted to a person, who is declared as P.O.

5. In view of the above, finding no merit in the present petition, the same is hereby dismissed.

05.10.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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