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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42778-2023
Date of decision: 10.10.2023

SHRIPRIYA AGARWAL

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Simran Sharma, Advocate for
Mr. Rohit Chandel, Advocate
for the petitioner.

Mr. Pawan Girdhar, Addl. A.G., Haryana and
Mr. Naveen Kumar Sheoran, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.151 dated 12.07.2023, under Sections 406, 420 and 120-B of the IPC, registered at Police Station Sector-9, Ambala City, Haryana.
2. Learned counsel appearing on behalf of the petitioner has submitted that it is a case where the allegations against the petitioner, who is a lady of the age of 29 years are arising out of purely money dispute and which has been given a criminal flavour. She further submitted that while issuing notice of motion, this Court had granted interim anticipatory bail to the petitioner and directed the petitioner to join investigation and to cooperate fully

with the investigation process and in pursuance of the aforesaid order, the petitioner has already joined investigation and has fully cooperated with the investigation process and even otherwise also by virtue of order passed by this Court that the matter be sent to the Mediation and Conciliation Centre for exploring the possibility of amicable settlement between the parties, the proceedings before the Mediation and Conciliation Centre of this Court are pending. She also submitted that since the petitioner has already joined investigation, the interim anticipatory bail granted to the petitioner on 29.08.2023 may be confirmed.

3. Mr. Naveen Kumar Sheoran, DAG, Haryana has submitted on instructions from ASI Gaurav Singh that in pursuance of the order passed by this Court dated 29.08.2023, the petitioner has already joined the investigation and she is fully cooperating with the investigation process and she is not required for custodial interrogation.

4. In view of the above, the present petition is allowed and the order dated 29.08.2023, is hereby made absolute.

5. This Court while issuing notice of motion had also taken cognizance of the language used in the FIR wherein religion of the accused persons is mentioned. The Director General of Police, Haryana was directed to file an affidavit as to what corrective measures will be taken by the State of Haryana in this regard especially when on the similar lines, the State of Punjab had already issued instructions and filed affidavit before this Court in CRM-M-42705-2022. Thereafter, the Director General of Police, Haryana filed an affidavit before this Court dated 03.10.2023, which was taken on record on

04.10.2023 by this Court. However, at that time Mr. Baldev Raj Mahajan, learned Advocate General, Haryana along with Mr. Pawan Girdhar, Additional Advocate General, Haryana and Mr. Naveen Kumar Sheoran, DAG, Haryana had stated that revised instructions are required to be issued and a fresh affidavit will be filed along with the revised instructions.

6. Today, Mr. Pawan Girdhar, Additional Advocate General, Haryana has filed another/fresh affidavit dated 09.10.2023 of the Director General of Police, Haryana, Panchkula, which is taken on record. Along with the affidavit, instructions issued by the Director General of Police, Haryana have also been attached. In the instructions it has been so mentioned that the entire issue has been reconsidered and it is directed that religion of informant/complainant/victim and suspect/accused persons will not be mentioned in the FIR except in the situations which are so incorporated with the aforesaid affidavit.

7. In view of the above, no further action is required on the part of the State in this regard. However, it is expected that the Director General of Police, Haryana, Panchkula shall ensure on periodic basis that the instructions issued by him are meticulously complied with in letter and spirit by all the Police Stations/all the Investigating Agencies etc.

10.10.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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