

(211)

2023:PHHC:109055

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

CRM-M-45015 of 2022

Date of Decision: August 22, 2023

Anshika

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sumit Sangwan, Advocate for the petitioner.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C., has been made for grant of anticipatory bail in case FIR No.0038 dated 07.02.2022 registered under Sections 406, 420, 506 IPC (Section 120-B IPC added later on during investigation) at Police Station Badhra, District Charkhi Dadri.

Learned counsel for the petitioner contends that the petitioner was earlier allowed anticipatory bail vide order dated 08.04.2022 (Annexure P.2) by learned Additional Sessions Judge, Charkhi Dadri. Thereafter, an application (Annexure P.3) for cancellation of anticipatory bail was moved. In the meantime, other co-accused Parveen was allowed interim bail vide order dated 12.07.2022 (Annexure P.4) which was confirmed on 31.08.2022 (Annexure P.5). Later on, vide another order dated 17.09.2022 (Annexure P.6), the anticipatory bail earlier granted to the petitioner on 08.04.2022 was cancelled.

This Court vide order dated 28.09.2022, directed the release of the petitioner on interim bail subject to her joining the investigation.

Petitioner has joined the investigation time and again, as is apparent from the various orders passed by this Court. Even the last

status report dated 17.08.2023 filed by learned State Counsel reveals that

petitioner has joined the investigation but bail to her is being opposed on the ground that she is the main culprit and as per her admission, she has taken ₹2.10 lacs from co-accused Parveen. It is also allegation that the petitioner admitted to have taken money from 180 other applicants for getting them deputed in Indian Railway.

However, learned State Counsel is unable to disclose the name of any other such applicant, who has paid the money to the petitioner. Learned State Counsel is unable to tell as to whether any such applicant made any statement to have paid money to the petitioner or whether statement of any such person was recorded. Even the money of ₹2.10 lac was paid by co-accused to the petitioner and not by the complainant.

Having regard to the afore-said facts and circumstances, but without commenting anything on the merits of the case, order dated 28.09.2022 whereby interim anticipatory bail was granted to the petitioner in the FIR in question, is hereby made absolute. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and make compliance of the conditions envisaged under Section 438(2) Cr.P.C.

Disposed of.

August 22, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No