

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

**CRM-M-54504-2021 (O&M)
Date of decision : 30.11.2023**

Deepti Dayanand Wananje

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jasdev Singh Thind, Advocate for the petitioner.

Mr. Kiran Pal Singh, A.A.G., Haryana for the respondent.

Mr. Sandeep Gahlawat, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.431 dated 17.11.2020, under Sections 406, 420, 467, 468 & 471 of the Indian Penal Code, 1860, registered at Police Station Civil Lines, District Sonapat.

(2) Above FIR was registered on the basis of statement made by complainant-Robin Bareja with the allegations that on the asking of petitioner and other co-accused, he deposited some amount in the bank account of accused persons and also gave cash on several instances. Also

alleged that accused deceived the complainant to invest in 0% Finance Scheme, thereby cheated him and misappropriated the entire amount on the pretext of investment in jewellery business.

(3) The then Coordinate Bench, on 15.02.2022, passed the following order:-

“In view of order dated 10.01.2022, the parties are directed to appear before the Mediation and Conciliation Centre of this Court on 14.03.2022 at 10.00 A.M. for exploring the possibility of an amicable settlement.

List again on 02.05.2022.

To be heard with CRM-M-2333-2021.

Till the next date of hearing, the arrest of the petitioners shall remain stayed, subject to the condition that they will make all endeavour to settle the dispute amicably.

A photocopy of this order be placed on the file of other connected cases.”

(4) Thereafter, this Court, vide order dated 21.08.2023, granted interim bail to petitioner and the same reads as under:-

“Order dated 15.02.2022, passed by the Coordinate Bench, is modified to the extent that petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.

Posted for 28.08.2023.”

(5) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and her custodial interrogation is not required.

(6) Learned State Counsel, on instructions from ASI Navneet, submits that petitioner has joined investigation and as on today, her custodial interrogation is not required.

(7) On the other hand, learned Counsel for the complainant vehemently opposed the prayer of petitioner. Since learned State Counsel is not asking for custodial interrogation of petitioner, therefore, the objection raised by learned Counsel for the complainant is overruled; hence, rejected.

(8) In view of above, interim order dated 21.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

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

(10) 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.

(11) Disposed off accordingly.

(12) Pending application(s), if any, shall also stand disposed off.

November 30, 2023
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>