

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

**CRM-M-48335-2023
Date of Decision:21.11.2023**

ANURADHA SHARMA ...Petitioner(s)

Vs.

STATE OF PUNJAB ...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

Mr. A.S. Manaise, Advocate, for the complainant.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition is for grant of anticipatory bail to the petitioner in case FIR No.161 dated 28.07.2023, registered under Section 408 of IPC, at Police Station City Gurdaspur, District Gurdaspur.

2. At the very outset, Mr. Mahajan, learned counsel for the petitioner submits that the petitioner is ready to give her handwriting samples before the Court of Illaqa Magistrate and shall also cooperate with the Investigating Agency during the course of the investigation.

3. Learned counsel for the petitioner further submits that in compliance of the order dated 05.10.2023 passed by a co-ordinate Bench of this Court, the petitioner has joined the investigation.

4. Learned counsel for the State, on instructions from ASI Jai Singh has submitted that the petitioner has joined the investigation but the recovery of Rs. 18 lacs is yet to be made from the present petitioner.

5. Learned counsel for the complainant also submits that there are serious allegations against the present petitioner and the petitioner does not deserve the concession of bail.

6. I have heard learned counsel for the parties and perused the record.

7. While issuing notice of motion on 05.10.2023, the following contentions were noticed:-

“Learned counsel for the petitioner contends that the petitioner was working as an Accountant in the Agency, which was owned by the complainant. It has been alleged that during the assessment year 2021-22, the petitioner had allegedly committed the misappropriation of Rs.20 lacs. He further contends that accounts of the Firm were duly audited by a Chartered Accountant and no such misappropriation was found. Even the income tax return for the assessment year 2021-2022 was filed in July 2022 and the said return does not reflect any such alleged misappropriation. Learned counsel further contends that in fact the complainant was forcing the petitioner to develop physical relation with him and the petitioner remained under treatment of a Psychiatrist, which is evident from OPD Slips dated 12.11.2022 (Annexure P-2) and 16.12.2022 (Annexure P-3). He next contends that the petitioner had also lodged a complaint (Annexure P-4/T) against the complainant for sexual harassment on 05.04.2023, much prior to the registration of the present FIR. He also contends that the entire case hinges on documentary evidence and the relevant documents are already in possession of the complainant/police and custodial interrogation of the petitioner is not required at this stage”.