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

CRM-M-1394-2024

Date of decision: 13.02.2024

Geeta

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vishal Khatkar, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.82 dated 26.05.2021 (Annexure P-1) under Sections 120-B/406/420/467/468/471 of IPC registered at Police Station Raipur Rani, District Panchkula.

On 11.01.2024, the following order was passed:-

‘The present petition has been filed under Section 438 of the Code of Criminal Procedure (hereinafter referred to as CR.P.C) for grant of anticipatory bail to the petitioner in FIR No.82 dated 26.05.2021 under Sections 120-B, 406, 420, 467, 468, 471 IPC registered at Police Station Raipur Rani, District Panchkula.

Learned counsel for the petitioner, inter alia, contends that the petitioner has no concern with the alleged accusation made against her in the FIR. She is a house wife and all allegations levelled in the FIR are against her ex-husband and other accused persons. There is no allegation with regard to any inducement made by the petitioner to the complainant for

attracting the offence of cheating or forgery.

Notice of motion.

On the asking of the Court, Ms. Geeta Sharma, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and opposes grant of anticipatory bail to the petitioner.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer on or before 19.01.2024 and on her doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating Officer and abide by the conditions as provided under Section 438 (2) Cr.P.C.*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 13.02.2024.

Nothing observed hereinabove shall be construed as an expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.'

Learned State counsel on instructions from ASI Vijay Kumar, at the very outset informs the Court that the petitioner has joined the investigation and her custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 11.01.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

13.02.2024
Neha

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