

210 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-5147-2024 (O&M)
Date of Decision: 29.04.2024

Renu Petitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ranjit K. Jaswal, Advocate,
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No.153 dated 09.07.2023 registered under Sections 420 & 406 IPC (Sections 467, 468 and 471 IPC added later on), at Police Station, Panjokhra, District Ambala.

2. Allegations are that co-accused-Atul Verma, son of petitioner, had cheated complainant as well as other victims and induced them to deliver Rs.7,47,000/- on the pretext of providing government job(s). Also alleged that above amount was deposited in the bank account of petitioner.

3. Learned counsel contends that petitioner is not named in the FIR; rather allegations are against her son. Further contends that vide affidavit dated 07.10.2015, petitioner had already disowned her son and she was granted interim bail vide order dated 21.02.2024 and in pursuance thereof, she has joined investigation; thus, her custodial interrogation is not required.

4. Learned State counsel has acknowledged the factum of joining investigation by the petitioner. Further submitted, on instructions, co-accused-Atul Verma has already been arrested on 23.04.2024.

5. Heard learned counsel for the parties and perused the paper-book.

6. This Court vide order dated 21.02.2024, granted interim bail to petitioner and the same reads as under:-

“Learned State counsel seeks time to have instructions about the whereabouts of co-accused, namely, Atul Verma.

Posted for 21.03.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

7. In pursuance of the aforesaid order, petitioner has joined investigation and her custodial interrogation is not required by the Police, at this stage; co-accused-Atul Verma has already been arrested; thus, order dated 21.02.2024 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

8. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

9. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

10. Disposed off accordingly.

11. Pending criminal misc. application(s), if any, shall also stand disposed off.

29.04.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No