



CRM-M-16654-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-16654-2024

Date of Decision: 05.07.2024

Asha Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Animesh Sharma, Advocate for the petitioner

Mr. Inderjeet Sindh Ladher, Deputy Advocate General, Punjab
(assisted by ASI Paramjeet Singh)

Mr. Vikram Rathore, Advocate for complainant

JAGMOHAN BANSAL, J. (ORAL)

1. On 05.04.2024, the following order was passed:-

“The present petition has been filed by the petitioner under Section 438 for grant of anticipatory bail in case having FIR No.0024 dated 06.02.2024 registered under Sections 416, 419, 420, 465, 468, 471 and 120-B of IPC at Police Station Ajnala, District Amritsar Rural.

Counsel for the petitioner submits that petitioner is 57 years of age and is suffering from kidney problem. It is further submitted that petitioner was summoned as accused in criminal complaint filed under Section 138 NI Act and she was directed by the Court concerned to furnish local surety and some local persons contacted her and offered to give surety on her behalf and later on it was found by the Court that the documents



submitted by the concerned surety were fake. Counsel for the petitioner further submits that the petitioner has no malafide intention and co-accused is granted anticipatory bail vide order dated 22.03.2024 Annexure P-8 and that the petitioner is also ready to join investigation with the police.

Notice of motion.

Mr. J.S. Dhaliwal, AAG, Punjab accepts notice on behalf of the State and submits that FIR in this case was registered on the basis of the complaint lodged by the Court and that petitioner is required by the police for proper investigation of the case.

Mr. Sukhchain Singh, Advocate appeared on behalf of Sukhraj Singh (complainant in complaint lodged under Section 138 NI Act) and endorsed the contentions raised by the State counsel and submits that the present petition deserves to be dismissed.

Keeping in view the fact that co-accused is already granted anticipatory bail and the petitioner is suffering from kidney problem, the petitioner is hereby directed to join the investigation with the police and in case of arrest, he is to be released on interim bail by the investigating officer/arresting officer to his own satisfaction till the next date fixed in this case. The petitioner is also to abide by the conditions envisaged under Section 438 (2) of Cr.P.C.

Now be listed on 05.07.2024.”

2. Learned State counsel, on instructions from ASI Paramjeet Singh, submits that petitioner has joined investigation and no custodial interrogation is required.



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3. In view of above facts and circumstances, the petition is allowed and the interim bail granted to the petitioner vide order dated 05.04.2024 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

4. If the petitioner or her family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

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

(JAGMOHAN BANSAL)
JUDGE

05.07.2024
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>