

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

Date of Decision: 30.07.2024

(i) CRM-M-3172-2018(O&M)

Bindu Sanjiv		...Petitioner
	vs.	
State of U.T., Chandigarh		...Respondent

(ii) CRM-M-3658-2018(O&M)

Sanjeev Sharma		...Petitioner
	vs.	
State of U.T., Chandigarh		...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Santosh Sharma, Advocate, for the petitioner
 (in both petitions).
 Mr. Anupam Bansal, Addl. P.P., for U.T. Chandigarh.
 Mr. Sachit Khurana, Advocate, for the complainant.

N.S.Shekhawat J. (Oral)

CRM-27257-2024 in CRM-M-3172-2018

1. Learned counsel for the applicant-petitioner wishes to withdraw the instant application.
2. Dismissed as withdrawn.

Main case:

1. This order shall dispose off above said two petitions i.e. CRM-M-3172 titled as Bindu Sanjiv Vs. State of U.T., Chandigarh and CRM-M-3658-2018, titled as Sanjeev Sharma Vs. State of U.T., Chandigarh, whereby the petitioners have prayed for grant of concession of anticipatory bail to them in case FIR No.0002 dated 05.01.2018 under Sections 420, 467, 468, 471, 120-B of IPC, registered at Police Station North, Chandigarh.



2. While issuing notice of motion on 24.01.2018, this Court had noticed the following contentions:-

“Learned counsel for the petitioner submits that the petitioner had purchased a property that is referred to in the FIR in the year 2005, vide a registered sale deed, from the late Dr. Amarnath Moudgil, with no objection raised for 12 years thereafter. Now, after the petitioner already has further sold the aforesaid property, the FIR in question has been got registered against her and her co-accused on 05.01.2018.”

3. Thereafter, the matter remained pending before this Court for the last more than six years. It is also apparent from the record that various interim orders have been passed by this Court from time to time and the petitioners have repeatedly joined the investigation in the present case. Even it is also apparent that during the pendency of the bail petition before this Court since 24.01.2018, the petitioners have not misused the concession of interim anticipatory bail for the last more than six years. Even during the course of arguments, learned State counsel could not dispute the fact that the case is based on documentary evidence and the report from the FSL has already been received.

4. Consequently, without commenting on the merits of the case and the rival contentions raised by learned counsel for the parties, the present petitions are allowed and the interim orders dated 24.01.2018 and 30.01.2018 passed by a Co-ordinate Bench of this Court are made absolute. The petitioners shall continue to join investigation, as and when called by the Investigating Officer and shall also abide by the conditions as provided under Section 438(2)

of the Cr.P.C. It is further ordered that the petitioners shall not leave India without prior permission of the trial Court.

5. Pending applications, if any, stand disposed off.

30.07.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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