

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-20712-2024 (O&M)
Date of Decision : 04.10.2024

REENA RANI -PETITIONER
V/S

STATE OF PUNJAB -RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. M.S. Sachdev, Advocate
for the petitioner.

Mr. Adesh Pal Singh,AAG, Punjab.

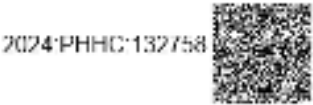
SANJIV BERRY, J. (ORAL)

1. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
31	14.03.2024	406, 420 IPC	Division No. 7, Jalandhar, District Police Commissionerate Jalandhar

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 09.08.2024 passed by this Court, the petitioner has joined the investigation.

3. Learned State counsel, on instructions received from SI Balwinder Pal Singh, informs the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.



4. During the course of hearing on 09.08.2024, following order was passed:

“ By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
31	14.03.2024	406, 420 IPC	Division No. 7, Jalandhar, District Police Commissionerate Jalandhar

2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent lady having been falsely implicated in this case. He contends that the petitioner has not cheated the complainant in any manner and in fact the petitioner along with the complainant and son of the complainant had entered into a partnership vide Partnership Deed dated 25.08.2020 (Annexure P-2). He contends that the complainant had business dealings with the husband of the petitioner as well who has later absconded. He contends that even as per the FIR amount given to the petitioner is Rs. 6.00 lacs which she has already returned, as is evident from the account statement annexed with the petition. He contends that the present FIR was registered on flimsy grounds alleging the alleged incident having taken place in December 2023 while the petitioner was pregnant and in fact out of the matrimonial discord she was thrown out of the matrimonial house on 03.12.2023 and had even filed a petition under Section 125 Cr.PC for maintenance dated 09.04.2024 vide Annexure P-9, she being thrown out of the matrimonial house has no concern whatsoever with her strained husband with whom the complainant was having some business dealings but has been harassed on that score.

3. Learned counsel for the petitioner contends that no specific date is given in the complaint when the alleged cars

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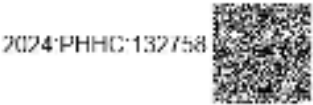
were taken by the complainant and her husband nor specific number of the cars is mentioned therein. He contends that the petitioner is not having any criminal antecedents and is ready to join the investigation.

4. Per contra, learned State counsel assisted by learned counsel for the complainant have submitted that the petitioner had been actively participating in the entire transaction and is liable for the acts and conduct. They contend that the petitioner has filed the petition under Section 125 Cr. PC (Annexure P-9) just as an eye wash to avoid her criminal liability.

5. Considering these respective submissions and perusing the record, it is deemed appropriate that the petitioner should join investigation before deciding the petition on merits within a period of 01 week from today and in the event of her arrest, she is ordered to be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

6. Adjourned to 30.08.2024. ”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 09.08.2024 passed by this Court, interim bail granted vide order dated 09.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.



- 6. The petition stands allowed.
- 7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

04.10.2024

Satyawan

(SANJIV BERRY)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No