



CRM-M-24857-2024
218-2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24857-2024
Decided on: 18.07.2024

State of Haryana

...Petitioner

Versus

Sheela Hudda

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rajat Gautam, Addl. AG, Haryana.

Mr. Simranjeet Singh, Advocate for the respondent.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
257	08.07.2022	Sector-56, Gurugram, Haryana	419, 420, 467, 468, 471 & 120-B IPC

1. Seeking cancellation of bail granted to the accused in the FIR captioned above, State has come up before this Court under Section 439(2) of Code of Criminal Procedure, 1973 (CrPC).

2. Facts of the case are being taken from paras 2, 3 & 4 of the petition, which reads as follows:-

- “2. That the brief facts of the case are that the present FIR was registered on the basis of a complaint filed by, one Ms. Deepti Kaur W/o Vikramjit Singh alleging that an unknown impersonated her father Rajinder Singh who is aged 78 years, a citizen of Dubai and after impersonation he forged the signatures of her father to execute a sale deed No. 4948 dated 10.06.2022 for the sale of plot no. 5, Road C-9, DLF I, Gurugram in favour of accused Seema Hudda. The true translated copy of the FIR dated 25.08.2022 is being appended to along with the present petition as ANNEXURE P-1 for the kind perusal of this Hon'ble Court.*
- 3. That it was further alleged that the aforementioned sale deed was executed with the collusion of the respondent and her husband namely Sanjay Hudda and the alleged witnesses and that the accused persons also managed to prepare the false and forged Aadhar Card and PAN Card issued in the name of the original owner i.e. the father of the complainant.*
- 4. That it is pertinent to mention here that during the investigation, upon examination of the record, the aforementioned plot was found in the name of Rajinder Singh vide Vasika No. 10167 dated 27.03.1989 and it was found that the respondent along with her husband, Sanjay Hudda*



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prepared fake documents for the above mentioned plot of the complainant party and along with other accused dishonestly and fraudulently got transferred in her name vide Vasika No. 4948 dated 10.06.2022.

3. State seeks cancellation of bail on the grounds that the respondent was granted bail by this Court vide order dated 25.08.2022, subject to the condition that she will join the investigation, as mentioned in para 16 of the said order. State counsel further submits that petitioner had joined the investigation once but neither cooperated and after that she never appeared despite issuance of notices. Later on her house was found locked. It is further submitted that despite the clear cut condition mentioned in para 16 of the bail order, petitioner did not join the investigation and on this ground alone, liberty was given to the State to file cancellation of bail.

4. Respondent's counsel submits that petitioner had lost her husband and she was in extreme mental agony and non-joining was not deliberate or intentional. Respondent's counsel has also referred to death certificate of petitioner's husband/Sanjay Hudda, who has expired on 19.02.2023. Respondent's counsel undertakes to join investigation as and when called upon to do so and she be given one liberty and her bail be not cancelled.

5. In the entirety of facts and circumstances and considering the fact that respondent had lost her husband, who was not only a co-accused but the main accused, this Court is affording a final opportunity to the respondent to join investigation. Let the respondent join investigation on any date from 02.08.2024 to 05.08.2024. The investigator is requested to be kind for the respondent for the fact that she has lost her husband and is stated to be in mental agony. Counsel appearing for the respondent shall convey the date to the respondent for joining the investigation in the concerned police station. It is clarified that if the respondent fails to join investigation on the given dates due to some unavoidable circumstances, respondent to must appear on or before 14.08.2024, failing which, it shall be permissible for the State to file an application for recalling of the present order and on this ground alone, present order shall be recalled.

Petition dismissed in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

18.07.2024

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Whether speaking/reasoned:

Yes

Whether reportable:

No.