



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

CRM-M-25975-2024

Date of Decision : 12.07.2024

SUMAN

.....Petitioner(s)

VERSUS

STATE OF HARYANA

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rahul Bhargav, Advocate,
for the petitioner(s).

Mr. Bhupender Singh, DAG, Haryana.

Mr. C.S.Singhal, Advocate,
for the complainant.

KULDEEP TIWARI, J.(Oral)

1. On 22.05.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.598 dated 25.10.2023, under Sections 406/420/120-B of the IPC, registered at P.S. Ambala City, District Ambala.

2. The learned counsel for the petitioner inter alia submits that, just to exert pressure upon the main accused Bikram, his wife/present petitioner has falsely been implicated in the present FIR. Nonetheless, the only allegation against the petitioner is that, at the behest of the main accused Bikram, the complainant had handed over an amount of Rs.3,40,000/- to the petitioner. Except this bald allegation, there is no allegation that the petitioner has dishonestly induced the complainant to part with his money.

3. At this stage, Mr. Chander Shekhar Singhal, Advocate, records his appearance on behalf of the complainant, under a memorandum of appearance instituted before this Court today, and, as prayed for, he is permitted to, within a week from today, file a validly executed Vakalatnama in his favour by the complainant, before the Registry of this Court. He vehemently opposes the grant of anticipatory bail to the petitioner, on the ground that, the entire amount of Rs.3,40,000/-,

which was given by the complainant to the petitioner, at the behest of the main accused Bikram, is yet to be recovered from her.

4. Be that as it may, considering the totality of the facts and circumstances, the only allegation against the petitioner is that of receiving money at the behest of her husband/main accused Bikram, and therefore, this Court deems it appropriate to grant the asked for relief to the petitioner.

5. Notice of motion for 12.07.2024.

6. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of respondent-State of Haryana.

7. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

2. Today, the learned State counsel has, on instructions imparted to him by ASI Satpal, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 22.05.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

July 12, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No