

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-28198-2024 (O&M)
Date of Decision:- 08.07.2024

KAMLA

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Prashant Singh Chauhan, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

Mr. Vipin Pal Yadav, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

1. Status report dated 08.07.2024 filed in the form of an affidavit of Deputy Superintendent of Police, H.Q. Rewari, District Rewari is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
147	04.05.2024	420, 406 and 120-B IPC	Dharuhera, District Rewari, Haryana

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 30.05.2024 passed by this Court, the petitioner



has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.

4. Learned State counsel, on instructions from SI Suresh Kumar has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

5. Learned counsel appearing on behalf of the complainant opposes the grant of bail to the petitioner.

6. Heard.

7. During the course of hearing on 30.05.2024 the following order was passed:-

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case. In fact, a mortgage deed dated 27.02.2013 (Annexure P-1) was executed by the complainant in favour of husband of the petitioner namely Zile Singh and subsequently sale deed dated 16.07.2014 was executed by her for valuable consideration on payment of Rs.25 lakhs through cheque on 16.07.2014. The instant FIR has been filed just to harass the petitioner after a lapse of more than 10 years. He submits that even the petitioner was not present at the time of execution of sale deed which was signed by her husband on her behalf. The petitioner is a lady aged about 69 years having no criminal antecedents. Hence, prays for anticipatory bail.

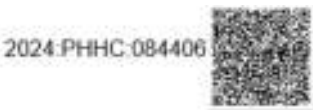
3. Notice of motion.

4. On the asking of the Court, Mr. Surender Singh, AAG, Haryana, present in Court, accepts notice on behalf of the State-respondent and has not disputed the factual matrix. He prays for time to file the status report/reply in the matter.

5. Adjourned to 08.07.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days 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.”

8. 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 30.05.2024 passed by this Court, interim bail granted vide order dated 30.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. 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.

9. The petition stands allowed.

(SANJIV BERRY)
JUDGE

08.07.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |