



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

101+207

CRM-39272-2024 in/and
CRM-M-29275-2024
Date of decision: September 30th, 2024

Padmini Jindal
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, Assistant Advocate General,
Haryana.

Mr. S.S. Sahu, Advocate
for the applicant-complainant.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-39272-2024

Prayer in this application is for placing on record reply to
affidavit dated 18.09.2024.

Application is allowed subject to just exceptions.

Reply is taken on record.

CRM-M-29275-2024

Petitioner is seeking the concession of anticipatory bail
under Section 438 of the Cr.P.C. in case FIR No.317 dated 23.10.2023
under Sections 406, 420, 466, 467, 468 of the Indian Penal Code, 1860,
registered at Police Station City Ratia, District Fatehabad.

2. Learned counsel for the petitioner submits that in
compliance of order dated 17.07.2024 passed by this Court, the



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petitioner has joined investigation and cooperated with the investigating agency. Hence, the said order be made absolute.

3. Learned State counsel assisted by learned counsel for the complainant has not disputed the factum of the petitioner having joined investigation. However, learned State counsel has submitted that the petitioner is not required for custodial interrogation except for the recovery of ₹8 lakh, which was given in lieu of the agreement to sell on 29.08.2022.

4. Learned counsel appearing for the complainant has drawn the attention of this Court to the affidavit (Annexure P-8), which had been filed by the petitioner and submitted that false averments had been made that amount in the sum of ₹5 lakh had been made by cheque. Learned counsel for the complainant has still further reiterated the allegations levelled by him in the complaint.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. Hon'ble the Supreme Court has repeatedly emphasised that Courts must assess the prayer for bail application independently, without being swayed by the arguments of the State or the complainant that recovery of certain articles or money is yet to be affected. It has been emphasised by Hon'ble the Supreme Court that the role of the Court is not to aid or assist in recovering the money or articles of the complainant. Rather, the Courts are expected to just prioritise as to whether the parameters laid down for the concession of bail are met,



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instead of facilitating the recovery of money etc.

7. In view of the above, the petition is allowed and interim order dated 17.07.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

September 30th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No