

215-A IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37910-2023
Date of decision: 14.02.2024

Santosh Devi

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Abhimanyu Jangra, Advocate and
 Mr. Mohit Jakhar, Advocate
 for the petitioner (through Video Conference).

 Mr. Ramesh Kumar Ambavta, AAG, Haryana.

 Mr. Ashok. K. Sharma (Bhana), Advocate
 for the complainant.

PANKAJ JAIN, J.(ORAL)

1 The petitioner has prayed for grant of anticipatory bail in FIR
No. 229 dated 19.06.2023 registered under Sections 120-B, 406, 419 and
420 IPC at Police Station Narwana City, District Jind.

2 On 04.08.2023, while issuing notice of motion the following
order was passed:-

“Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.229 dated 19.06.2023, registered at Police Station Narwana City, District Jind, under Sections 120-B, 406, 419 and 420 IPC.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that there are specific allegations against Chiranji Lal (husband of the petitioner) and Yogesh, who are in custody; that at one stage, the matter was compromised between the parties and the petitioner is even not a signatory to the

compromise, and that a complaint under Section 138 N.I.Act for dishonour of cheque, amounting to Rs.11 lakh, allegedly issued by Chiranji Lal, is pending adjudication before the concerned Court.

Notice of motion.

On the asking of this Court, Mr. Rupinder Singh Jhand, Addl. A. G. Haryana, accepts notice on behalf of the respondent-State.

Mr. Ashok K. Sharma (Bhana), Advocate, puts in appearance and files his power of attorney on behalf of the complainant.

At this stage, learned counsel for the petitioner and learned counsel for the complainant submit that there are chances of amicable settlement between the parties and pray that the matter be referred to the Mediation and Conciliation Centre of this Court.

In view of the above, the parties are directed to appear before the Mediation and Conciliation Centre of this Court, on 14.08.2023, for amicable settlement, if any.

Adjourned to 11.09.2023, for awaiting the report.

Meantime, arrest of the petitioner shall remain stayed”.

3 Today, learned State counsel, on instructions from ASI Rajesh Kumar has stated that pursuant to the order dated 13.12.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

4 In view of above, the interim order dated 13.12.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5 This order should not be treated as "blanket" order. It will not be read granting petitioner 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.

6 This order does not in any manner limit or restrict the rights or duties of the police or investigating agency, to investigate into the charges against the petitioner.

7 The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.

8 It will be open to the police or the investigating agency to move this court for a direction under Section 439 (2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

9 Petition stands disposed off.

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

(PANKAJ JAIN)
JUDGE

14.02.2024
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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No