



CRM-M-47212-2023

-1-

208

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47212-2023

Date of Decision:- 10.09.2024

Sweta Pathak

....Petitioner

Vs.

State of Haryana and Another

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Johan Kumar, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. A.P.S. Sehgal, Advocate for respondent No. 2.

AMARJOT BHATTI, J.

Petitioner – Sweta Pathak has filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No. 269 dated 11.08.2023 under Section 406 of IPC, registered at Police Station Civil Lines Sonapat, District Sonapat.

2. As per the facts of case, FIR was lodged on the basis of complaint filed by Senior Manager, HDFC Bank, Model Town, Sonapat on complaint filed under Section 156(3) Cr.P.C. As per allegations, petitioner misappropriated about ₹25 lakhs.

3. During the pendency of bail petition, petitioner without admitting allegations in FIR presented Demand Draft dated 11.12.2023 to the tune of ₹2 lakhs drawn in the name of HDFC Bank-complainant No. 2 and matter was referred to Mediation and Conciliation Centre and arrest of petitioner was stayed till next date of hearing, as per order dated 11.12.2023.



CRM-M-47212-2023

-2-

4. Report has been received from Mediation and Conciliation Centre dated 06.09.2024 vide which all terms and conditions are settled, acceptable to complainant as well as petitioner.

5. Learned counsel representing respondent No. 2 confirmed said settlement arrived at between them.

Learned counsel representing State of Haryana also filed detailed status report and it is pointed out that petitioner has not joined investigation till date.

6. I have considered aforesaid factual position. In the case in hand, arrest of petitioner was stayed. Now, matter has been settled between petitioner and respondent No. 2-complainant bank. Copy of settlement/agreement has been received from Mediation and Conciliation Centre. Petitioner is ready to join the investigation. Considering the aforesaid factual position and without going on the merits of case, anticipatory bail petition filed by petitioner – Sweta Pathak is allowed. She be not arrested. In case of her arrest, she be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. She will not tamper with or interfere with investigation and will not leave country without prior permission as provided under Section 438(2) Cr.P.C.

7. Petition is accordingly accepted.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

10.09.2024

*lalit***(AMARJOT BHATTI)**
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No