

218 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-59360-2023 (O&M)

Date of Decision: 12.02.2024

Sushma Devi

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Mohan Singh Rana, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana
assisted by ASI Narinder.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.496 dated 10.12.2022 registered under Sections 120-B, 406, 420, 467, 468 and 471 IPC (Section 506 IPC was deleted later on) at Police Station, Arya Nagar, District Rohtak.

2. Allegations are that the property owned by complainant Swaran Lata was fraudulently transferred by co-accused Ashok Kumar in favour of the petitioner.

3. This Court vide order dated 24.11.2023, granted interim bail to petitioner and the same reads as under:-

*“Contends inter alia that petitioner is 67 years of age
and there is no other criminal case pending against her.*

Notice of motion.

*Mr. Kiran Pal Singh, AAG Haryana accepts notice on
behalf of respondent-State and seeks time to have
instructions and/or file written response in the matter.*

Posted for 12.02.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973."

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, she has joined investigation, therefore, her custodial interrogation is not required.

5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required, at this stage.

6. In view of above, interim order dated 24.11.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

9. Disposed off accordingly.

10. Pending criminal misc. application(s), if any, shall also stand disposed off.

12.02.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No