

[205] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60709-2023
Date of Decision : 12.02.2024

Majidan ...Petitioner
versus
State of HaryanaRespondent

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. Vinay Kumar Pandey, Advocate for the petitioner.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

[1] On 04.12.2023, the following order was passed by this Court:-

“ Present: Mr. Vinay Kumar Pandey, Advocate for the petitioner.

Prayer in this petition filed under Section 438 Cr.P.C., has been made for grant of anticipatory bail to the petitioner in case FIR No.0406 dated 04.06.2017 registered under Sections 420, 467, 468, 471 and 120-B IPC at Police Station Sadar Nuh, District Nuh.

Allegations are that land measuring 02 kanal 11 Marlas belonging to complainant Smt. Sarita Manocha alias Beena Kumari has been sold by executing the sale deed No.93 dated 12.04.2016 in favour of petitioner Majidan by producing some fake lady.

Learned counsel contends that in fact an agreement to sell dated 06.07.2016 was executed by the complainant in favour of one Jakariya who filed a civil suit, which was duly contested by the complainant of this case. However, in between when the case reached at the defendant’s evidence, she was proceeded ex parte. The finding in favour of Jakariya vide judgment dated 30.11.2021 (Annexure P.3) is now in appeal. It has been observed by the Civil Court that registration of the FIR was quite doubtful having regard to the conduct of the complainant inasmuch as the present FIR was lodged on 04.06.2017 i.e. after almost one year. Learned counsel also contends that petitioner did not know the identity of the complainant when the sale deed in question was executed in her favour. Learned counsel also contends that neither the sale deed in favour of the petitioner nor the subsequent sale deeds executed by the petitioner in favour of Samshad have been challenged till date, by the complainant.

Notice of motion.

Mr. Parveen Kumar Aggarwal, DAG, Haryana, accepts notice on behalf of the respondent- State.

Adjourned to 12.02.2024.

In the meantime, in case of her arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. She shall not contact any person associated with the case to dissuade her from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. She shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. ”

[2] Today, learned State Counsel, on instructions from ASI Rajesh, has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 04.12.2023 and is no longer required for further investigation.

[3] In view of the aforesaid, the order dated 04.12.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, she shall continue to join investigation, if and so required by the Investigating Officer.

[4] Disposed of.

(DEEPAK GUPTA)
JUDGE

12.02.2024
'Rajneesh'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No