

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-61965 of 2023  
Date of Decision: January 31, 2024

Sunita

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARPREET SINGH BRAR

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Present : Mr. Shailender Kashyap, Advocate  
for the petitioner

Ms. Geeta Sharma, DAG Haryana  
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**Harpreet Singh Brar, J. (Oral)**

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 460 dated 17.10.2023 registered under Sections 406, 420 IPC at Police Station Chandimandir, District Panchkula.

2. On 08.12.2023, the following order was passed :-

*“The present petition has been filed under Section 438 of the Code of Criminal Procedure (hereinafter referred to as Cr.P.C.) for grant of anticipatory bail to the petitioner in FIR No. 460 dated 17.10.2023 registered under Sections 406, 420 IPC at Police Station Chandimandir, District Panchkula.*

*Learned counsel for the petitioner, inter alia, contends that the petitioner is a housewife and she has no role to play in the alleged occurrence and she is neither beneficiary of any amount which was paid to the travel agent by complainant himself.*

*Notice of motion.*

*On the asking of the Court, Ms. Geeta Sharma, DAG Haryana, who is present in Court, accepts notice on behalf of the respondent-State.*

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer on or before 18.12.2023 and on her doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating Officer and abide by the conditions as provided under Section 438 (2) Cr.P.C.*

*If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Arresting Officer and direct her to join the petitioner in investigation, in terms of the order of this Court.*

*Adjourned to 31.01.2024.*

*Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."*

3. Learned State counsel, on instructions from ASI Parveen Kumar, states that pursuant to order dated 08.12.2023, the petitioner has joined the investigation and is no more required for custodial interrogation.

4. In view of the statement of learned State counsel, order dated 08.12.2023 is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.
5. Petition stands disposed of.
6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial court shall proceed without being prejudiced by observations of this Court.

**(HARPREET SINGH BRAR)**  
**JUDGE**

**January 31, 2024**  
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**Whether speaking/reasoned : Yes/No**  
**Whether Reportable : Yes/No**