

Sumitra Devi Vs. State of Haryana

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Court : Punjab and Haryana

Decided On : Apr-25-2014

Appellant : Sumitra Devi

Respondent : State of Haryana

Judgement :

CRM-M No.9252 of 2014 -1- IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH CRM No.M-9252 of 2014 Date of decision : 25.04.2014 Sumitra Devi ...Petitioner Versus State of Haryana ..Respondent CORAM: HON'BLE Mr.JUSTICE MEHINDER SINGH SULLAR Present: Mr.Rajbir Sehrawat, Advocate for the petitioner.

Mr.H.S.Deol, Addl.

A.G., Haryana for the State.

**** Mehinder Singh Sullar, J.

(Oral) Petitioner-Sumitra Devi wife of Matwar Singh, has preferred the instant petition for the grant of concession of anticipatory bail, invoking the provisions of Section 438 Cr.P.C., in a case registered against her along with her other co-accused, vide FIR No.521 dated 15.11.2013, on accusation of having committed the offences punishable under Sections 420, 467, 468, 471 and 120-B IPC, by the police of Police Station Surajkund, Faridabad.

2.

Notice of the petition was issued to the State.

Sumit Kumar 2014.04.26 12:06 I attest to the accuracy and integrity of this document CRM-M No.9252 of 2014 -2- 3.

After hearing the learned counsel for the parties, going through the record with their valuable assistance and after deep consideration of the entire matter, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4.

During the couRs.of preliminary hearing, a Coordinate Bench of this Court (Inderjit Singh J.) passed the following order on March 14, 2014:- Learned counsel for the petitioner contends that the main allegations are against the husband of the petitioner.

Even the petitioner has not signed the sale deed in question.

Her husband has signed the said sale deed on her behalf.

The allegation against the petitioner is only regarding connivance.

Notice of motion for 25.04.2014.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer.

However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

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5.

At the very outset, on instructions from ASI Mahavir Singh learned State counsel has acknowledged the factual matrix and submitted that the petitioner has already joined the investigation.

She is no longer required for further interrogation, at this stage.

There is no history of her previous involvement in any other criminal case.

Moreover, the dispute appears to be of civil nature.

All the offences alleged against the accused are triable by the Court of Magistrate.

Even, since the prosecution has not yet submitted the final police report (challan) against the accused, so, the final conclusion of trial will naturally take a long time.

6.

In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as Sumit Kumar 2014.04.26 12:06 I attest to the accuracy and integrity of this document CRM-M No.9252 of 2014 -3- discussed here-in-above, the instant petition for anticipatory bail is accepted.

The interim bail already granted to the petitioner by this Court, by virtue of order dated March 14, 2014, is hereby made absolute, subject to the compliance of the conditions, as contemplated under Section 438(2) Cr.P.C. Needless to mention that, in case, the petitioner does not cooperate or joins the investigation, the prosecution would be at liberty to move a petition for cancellation of her bail, in this respect.

25.04.2014 (Mehinder Singh Sullar) sumit.k Judge Sumit Kumar 2014.04.26 12:06 I attest to the accuracy and integrity of this document

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