
(2021) 10 SHI CK 0008

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (Main) No. 1905 Of 2021

Shweta Chawla

APPELLANT

Vs

State Of Himachal Pradesh

RESPONDENT

Date of Decision : 05-10-2021

Acts Referred:

Indian Penal Code, 1860 — Section 406

Citation : (2021) 10 SHI CK 0008

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Anirudh Sharma, Sumesh Raj, Adarsh Sharma, Sanjeev Sood, Kamal Kant Chandel, Naresh Sharma

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. HC Naveen Kumar No. 19, IO PP Saproon, Police Station Sadar, Solan, is present in person with case record.
2. Status report has been filed which is perused and taken on record.
3. Heard.
4. On instructions, learned Additional Advocate General submits that petitioner is participating in the course of investigation as and when directed by the Investigating Officer. Further, as of now, no recovery etc. is to be effected at her instance. However, as per him, grant of anticipatory bail is not warranted in the facts of the case.
- 5 I have heard learned Counsel for the parties and also gone through the status report.
6. It is not in dispute that after the grant of bail, the petitioner has duly participated in the course of investigation and has not created any hindrance in

the same. It is further not the allegation of the prosecution that in the interregnum, post grant of anticipatory bail, the petitioner has either tried to influence any witness or has created any other impediment in the course of the investigation.

7. Therefore, keeping into consideration the fact that the investigation is now complete, this petition is allowed and the petitioner is ordered to be released in FIR No. 123 of 2021, dated 07.08.2021, registered under Section 406 of the IPC at Police Station Sadar, Solan, District Solan, H.P by making order dated 29.09.2021 as absolute, subject to the following conditions:-

? Petitioner shall furnish personal bond in the sum of ` 10,000/- with one surety in the like amount to the satisfaction of the learned Trial Court within a period of two weeks from today.

? She shall make herself available for the purpose of interrogation, if so required and regularly attend the trial Court on each and every date of hearing and if prevented by any reason to do so, seek exemption from appearance by filing appropriate application;

? She shall not tamper with the prosecution evidence nor hamper the investigation of the case in any manner whatsoever.

? She shall not make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or the Police Officer; and

? She shall not leave the territory of India without prior permission of the Court.

8. It is clarified that findings which have been returned by this Court while deciding this petition are only for the purpose of adjudication of the present bail petition and learned trial Court shall not be influenced, in any manner, whatsoever, by any of the findings so returned by this Court in the adjudication of this petition, during the course of trial of the case. It is further clarified that in case the petitioner does not comply with the conditions which have been imposed upon her while granting the present bail, the State shall be at liberty to approach this Court for the cancellation of the bail. Petition stands disposed of in the above terms.

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