



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

216

**CRM-M-30994-2025
Decided on: 11.08.2025**

ASHA WADHERA**.....Petitioner****Versus****STATE OF HARYANA AND ANR.****.....Respondents****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Raghav Bali Advocate and
Mr. Pankaj Bali, Advocate, for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. Parminder Singh, Advocate
for the complainant-respondent No.2.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner	FIR No.	Date	Section(s)	Police Station	District
Asha Wadhera, aged about 59 years	329	10.08.2024	420 & 419 IPC	Civil Lines	Karnal

2. On 29.05.2025, following order was passed :-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:

<i>Name & age of Petitioner</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
Asha Wadhera, aged about 59 years	329	10.08.2024	420 & 419 IPC	Civil Lines	Karnal



2. *Learned counsel for the petitioner, inter alia, contends that actually there is some misconception to the complainant-respondent No. 2 or he is concocting the version to involve the petitioner in the present criminal case. In fact, there is dispute regarding identity of the property. Further submits that the petitioner had sold the property in favour of Smt. Bharpai Devi, Smt. Kavita Devi and Shri Abhinav Rana, for sale consideration of Rs.24,00,000/-, vide sale deed dated 18.04.2022 (Annexure P-3), wherein Property ID No. 147C289U170 has been recorded. The petitioner also handed over possession of the property, i.e. House No. 8C/1053, Arjun Nagar, Karnal, which has been built up over an area of 100 Sq. Yards, whereas complainant/respondent No. 2 is raising dispute regarding property bearing No. 19/1053, Dyal Singh Colony, Arjun Nagar, Karnal. Also points out that no specific khasra numbers have been allotted to the plot, which is allegedly possessed/owned by complainant-respondent No. 2 – Krishan Kumar.*

Additionally, it is also argued that only on the basis of levelling of bald allegation by the complainant, and without conducting any inquiry/investigation, present FIR has been registered against the petitioner. Moreover, the whole dispute is to be decided on the basis of documentary evidence and custodial interrogation would not be required for any fruitful purpose.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

3. *Notice of motion.*

4. *On advance notice, learned State counsel puts in appearance on behalf of the respondent – State, and seeks some time to respond to the submissions addressed by learned counsel opposite, after seeking instructions. And, in case of necessity, to file status report.*

5. *Mr. Parminder Singh, Advocate, caused appearance on behalf of complainant/respondent No. 2 and while opposing the contention for anticipatory bail, submits that there is a misconceived attempt by the petitioner to defraud the complainant/respondent No. 2, and, therefore, she does not deserve the concession of bail.*

6. *Be that as it may. Petitioner has sold the property vide registered sale deed dated 18.04.2025 (Annexure P-3), wherein specific Property ID No. 147C289U170 has been mentioned, and possession has also been handed over to the purchasers. The allegations levelled by the complainant-respondent No. 2 requires thorough investigation, for which custodial interrogation of the petitioner would not be required.*



7. *List on 11.08.2025.*

8. *In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, the petitioner shall be released on ad-interim bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

9. *Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she possesses. Otherwise, would submit an affidavit, disclosing the fact that she does not possess any passport. It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”*

3. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 29.05.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from I.O. confirms the said averment made by counsel for the petitioner of joining the investigation on 03.06.2025 by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 29.05.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.



7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

11.08.2025
Chiranjeev

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**