

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

**(Through virtual mode)
From the Srinagar wing**

Bail App 192/2025

Sonia Verma

... Petitioner/Appellant(s)

Through: Mr. Rakesh Singh Slathia, Advocate

V/s

UT of J&K through P/S Crime Branch Jammu

... Respondent(s)

Through: Ms. Priyanka Bhat, Adv. vice Ms. Monika Kohli, Sr. AAG for R1
Mr. Atharv Mahajan, Adv. vice Ms. Deepika Mahajan, Sr. Adv. for R2

CORAM: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

**ORDER
09-12-2025**

1. The petitioner has moved the instant application seeking anticipatory bail in case FIR No. 11/2025, registered u/s 420, 120-B IPC and 66-D of the Information Technology Act, on the ground that she has been falsely implicated. It is submitted that her earlier anticipatory bail application was dismissed summarily by the learned Sessions Judge, Jammu, on 25.04.2024.
2. It is submitted that the petitioner is the wife of one of the accused persons and has no concern with the alleged offence. According to her, the Crime Branch had visited her residence and informed her family that a case had been registered against her husband. She asserts that she is innocent, is willing to join the investigation, and that the FIR has been lodged to

wreak personal vengeance arising out of financial dealings between her husband and the complainant, with which she has no connection.

3. As per the prosecution, the complainant (respondent No. 2) complained Rahul Verma, Rajeev Verma, Pradeep Saini, Raman Awasthi and Rishi Sharma, alleging that they had floated the business entity “**New York Live Trade Business Plan**”. By projecting themselves as the staff/management of the said entity, they allegedly induced the complainant and others to invest in the said business by representing that it dealt in network-based marketing. The complainant allegedly invested **₹85 lakhs** through various transactions. Later, the business was purportedly shut down after duping the complainant and other similarly placed investors.
4. When the complainant could not contact the accused persons, whose phone numbers remained switched off, he approached the competent court under Section 156(3) CrPC. An inquiry was ordered, which led to the Crime Branch finding prima facie substance in the allegations and registering FIR No. 11/2025 under the aforementioned penal provisions.
5. During the investigation, documents furnished by the complainant were seized and are being analysed. Statements of some relevant witnesses have been recorded. Further, the Crime Branch has sought transaction details from Punjab National Bank concerning Account No. 5595002100001268.
6. As per the respondent, the petitioner, being the wife of accused Rajeev Verma, allegedly acted as his conduit, received money from the complainant and others, and was aware of the fraudulent transactions. It

is alleged that photographs placed on record indicate her active involvement. The respondent contends that if granted bail, she may tamper with prosecution evidence. It is further contended that she introduced herself as top management of the said company, which was falsely projected as having its registered office in England and Wales, thereby inducing the complainant to invest.

7. The prosecution submits that the investigation is ongoing and notices have been issued to the petitioner and others to join the investigation. Learned counsel for the petitioner contends that she apprehends arrest in a false case and that the mere presence of photographs showing her with her husband cannot lead to a presumption of her involvement in the company's affairs.
8. I have considered the submissions of learned counsel appearing for the parties.
9. At the outset, it is noted that the complainant invoked Section 156(3) CrPC against Rahul Verma, Rajeev Verma, Pradeep Saini, Raman Awasthi, Rishi Sharma, Sonia Verma, and the mother-in-law of the petitioner. However, from the police report, it appears that the FIR has been registered primarily concerning the roles of Rahul Verma, Rajeev Verma, Pradeep Saini, Raman Awasthi and Rishi Sharma.
10. The complaint alleges that at one instance, the complainant handed over certain money to the petitioner in the presence of her mother-in-law at their residence. However, it is not disclosed whether the petitioner received the amount at her own instance or at the direction of her husband. Although the allegations involve a substantial financial fraud

and the investigation is ongoing, it is also a matter of record that despite registration of the FIR on **03.02.2025**, the Crime Branch has shown no urgency in arresting the petitioner. It was pointed out during the hearing that several accused have not been arrested. The matter remains under investigation, and bank transactions are still being verified.

11. The genesis of the FIR lies in the private complaint before the Magistrate. Before ordering registration of FIR, the Magistrate had called for a police verification report, which showed that the Crime Branch had conducted a preliminary inquiry. The Magistrate, being satisfied that cognizable offences were disclosed, directed registration of the FIR. After registration, witness statements have been recorded, and bank records sought. While the allegations pertain to cheating by inducing the complainant to invest in false promises, the police report does not indicate any specific role of the petitioner in managing or controlling the business. The only allegation against her concerns the receipt of money on one occasion, based on which she and her mother-in-law have been arrayed as accused.
12. The alleged offences carry a punishment not exceeding **seven years**. Despite this, the Crime Branch has not arrested the petitioner, though she expresses reasonable apprehension of arrest leading to humiliation. Given the nature of the allegations, the petitioner appears to have been implicated mainly due to her relationship with the principal accused, who exercised greater control over the business concern.
13. The provisions of granting of pre-arrest bail aim to safeguard personal liberty and prevent harassment or humiliation arising out of false

implication or personal vendetta. However, protection under this provision does not exempt the accused from participating in the investigation.

14. Considering the nature of allegations against the petitioner, the stage of investigation, the absence of any demonstrated need for custodial interrogation, and the fact that she has prima facie made out a case for protection, the application deserves to be allowed. Accordingly, the petitioner is granted anticipatory bail in the event of her arrest, subject to the following conditions:

- She shall furnish a surety bond of ₹1,00,000 to the satisfaction of the Investigating Officer, Crime Branch, and a personal bond of the like amount.
- She shall cooperate fully with the investigation and appear as and when required by the Investigating Agency.
- She shall deposit her passport, if any, before the Crime Branch.
- She shall not influence the investigation or intimidate witnesses in any manner.

15. The petition is disposed of in the above terms

(Sanjay Parihar)
Judge

Srinagar
09-12-2025

N Ahmad

Whether the order is speaking: Yes

Whether the order is reportable: No