

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-57831-2024  
Reserved on: 07.01.2025  
Pronounced on: 13.01.2025

Reenu ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sanjeev Majra, Advocate,  
for the petitioner.

Mr. Aashish Bishnoi, DAG, Haryana.

Mr. Parminder Singh, Advocate  
for the complainant.

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**ANOOP CHITKARA, J.**

| FIR No. | Dated      | Police Station           | Sections            |
|---------|------------|--------------------------|---------------------|
| 779     | 09.12.2023 | Gharaunda, Distt. Karnal | 406, 420, 120-B IPC |

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 439 of CrPC, seeking regular bail.
2. In paragraph 10 of the bail petition and as per paragraph 10 of the status report, the accused has the following criminal antecedents:

| Sr. No. | FIR No. | Dated      | Offenses                                       | Police Station         |
|---------|---------|------------|------------------------------------------------|------------------------|
| 1.      | 263     | 06.07.2024 | 406, 420 IPC                                   | Pundri, Distt. Karnal  |
| 2.      | 247     | 24.07.2024 | 406, 420 IPC and Section 24 of Immigration Act | Israna, Distt. Panipat |

3. The facts and allegations are being taken from the copy of FIR, Annexure P-2, which reads as follows:

*“At present it is recorded that SI Shyam Sundar No. 205/Karnal is present at the police station and an application No. 6043-CMISC dated 19.09.2023 was received in the office of the Superintendent of Police, Karnal after Investigation, the gist of which is as follows: To, the Superintendent of Police, Karnal. Subject:- Getting recovered our money by taking legal action against Pravin son of Ranbir Singh*

resident of Pundri (Mob. 82954xxxx), Vijender resident of Sonipat, present r/o near NIT Main Gate, Shiv Mandir, Kurukshetra (Mob. 94161xxxxx) and Rajinder resident of Mohali (Mob. 70099xxxxx). Sir, my humble request is that we are, Rishipal son of Shri Mehar Singh resident of village Khora-Khedi, Virendra son of Shri Vijay resident of Gharonda, Rakesh Kumar son of Amarnath resident of Kapdo and Siya Ram son of Kali Ram resident of village Dadlana. We all got acquainted with Pravin son of Ranbir Singh, resident of Kurukshetra. The above person said that I will send your children abroad. I have a lot of acquaintances. Big officers and leaders know me. I will get you a job by applying for a Canadian work permit from India only. Which will shape the future of your children. We were lured by his words. Vijender, resident of Sonipat presently residing at near NIT Main Gate, Shiv Mandir, Kurukshetra was along with him. Vijender said that we have sent about 500 children from here. Both Pravin and Vijender are teachers together in Gurukul, Pundri. Both of them introduced us to a man at Karna Lake in Karnal, whose name they told us was Rajinder, resident of Mohali and said that he is the owner of R.D. Enterprises. He will send your children abroad within three months. The payment should be made as soon as possible from your side and they said that if the payment is made today itself, they will start the work from today itself. Otherwise your work will get delayed. Trusting the above three, we marked their account as follows: Date 19-08-2022, Name of the person Rishipal, Mode of Payment- GOOGLE PAY, Amount-50,000/-, Date 20-08-2022- GOOGLE PAY, Amount-50,000/-, Dated 22-08-2022 Cheque No. 000458 Amount-2,00,000/-, Dated 29-08-2022 RTGS FROM A/C 91503003xxxxxx Amount-12,00,000/-, Dated 14-06-2023 GOOGLE PAY Amount-60,000/-, Dated 15-06-2023 GOOGLE PAY Amount-15,000/- .The person in whose account the payment was made:- Praveen Kumar son of Raghbir Singh A/C. 1716000102xxxxxx, IFSC CODE-PUNB0066000 Dated 10.08.2023 CASH Amount 5,00,000/- In whose account the permit was issued - Vijender resident of Kurukshetra, Date 06-09-2022. Person's name- Virender, mode of payment RTGS, Amount- 2,00,000/-, date 27-09-2022 RTGS amount- 2,00,000/-, date 22-07-2022. Person's Name- Rakesh, Mode of Payment RTGS Amount-2,00,000/-, Date 18-08-2022 CHEQUE Amount 1,00,000/-, Date 26-08-2022 GOOGLE PAY Amount-90000/-, Date 27-08-2022 GOOGLE PAY Amount-10,000/-, in whose account payment

*was made- Praveen Kumar s/o Raghveer Singh A/C 171600010xxxxxx, IFSC CODE-PUNB0066000, Date 18-08-2022, Name of the person- Siya Ram, Mode of Payment RTGS Amount-500000/- in whose account the payment went-R.D. Enterprises A/c 10080xxxxxx, IFSC CODE-IDFB0021371. Total Amount-33,75,000/-. The said persons cheated all of us by taking the above payment from us. Many times he would take us to Chandigarh and say that your work will be done today. Your work is about to be done. In this way these people kept making us go around. Then we understood that these people do Kabootarbazi' and embezzle people's money. When we ask for our money, they threaten to kill us and tell us to throw them at a place where even the police will not be able to trace you. Therefore, you are requested to take legal action against Pravin son of Ranbir Singh resident of Pundri (Mob. 82954xxxxx), Vijender resident of Sonipat presently r/o near NIT Main Gate, Shiv Mandi Kurukshetra (Mob. 94161xxxx) and Rajinder resident of Mohali (Mob. 70099xxxx) to get our money."*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and her family.

5. The State's counsel opposes bail and refers to the status report.

6. It would be appropriate to refer to the following portions of the status report, which read as follows:

*11. That in the present case, the role of the present petitioner is that she was in hand in gloves with her husband acting conjointly, they made dishonest inducements to the complainants to send their children abroad. During the investigation, it came on file that complainant Rishipal had transferred Rs.28,75,000/- in the account No. 171600010xxxxxxxxx IFSC Code PUNB006600 of Parveen (husband of petitioner) online and from the same account Rs.13,52,000/- was found to have been transferred online to the bank account number 50100623xxxxx of the accused Reenu in different dates. Similarly, the amount of Rs. 5 lacs paid by complainant Siya Ram in the account of RD Enterprises was stated to be received back in the account of Reenu. Thus the present petitioner actively participated in design to dupe and cheat the complainants.*

*12. That there are serious allegations against the petitioner and other*

*co-accused that they have cheated with the complainants in lacs of rupees for sending their children to abroad in legal manner. During the course of investigation sufficient incriminating evidence came on file against the petitioner. She is directed beneficiary of the consideration amount of Rs.13,52,000/- were transferred in to the account of the petitioner from the account of her husband Parveen and Rs.5,00,000/- were found credited by the account of RD Enterprises, Mohali in the account of petitioner and recovery of Rs.10,000/- was also effected from her in pursuance of her disclosure statement. After investigation on finding complicity of the petitioner for the grave offences of IPC challan against her has been submitted in the Ld. Court. It is further submitted that there is real apprehension that in case the petitioner/accused is granted bail, she may tamper with the prosecution evidence and might influence the prosecution witnesses and otherwise abscond from the process of law. Such types of the offences are on the rise now in these days. Thus the present petition deserves to be dismissed."*

7. There is sufficient prima facie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. As per paragraph 3 of the bail petition, the petitioner has been in custody since 29.08.2024. As per the same, the petitioner's total custody in this FIR is around four months. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage.

8. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

9. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

|    |                                                                                                                                      |  |
|----|--------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. | AADHAR number                                                                                                                        |  |
| 2. | Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk. |  |
| 3. | Mobile number (If available)                                                                                                         |  |
| 4. | E-Mail id (If available)                                                                                                             |  |

11. This order is subject to the petitioner’s complying with the following terms.
12. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.
13. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.
14. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.
15. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.
16. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)  
JUDGE

13.01.2025  
Jyoti-II

Whether speaking/reasoned: Yes  
Whether reportable: No.