



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

(223)

CRM-M-33876-2026 (O&M)

Date of decision : 18.08.2026

RAKHI DEVI

... Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Aakash Rana, Advocate for the petitioner

Mr. Neeraj Poswal, AAG, Haryana

MANISHA BATRA, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”) for grant of regular bail in case arising out of FIR No.499 dated 28.08.2024 registered under Sections 120B, 384, 406, 420, 467, 468, 471 of IPC at Police Station Saran, District Faridabad.

2. As per the allegations, Arun Verma, son of the complainant Inder Pal Verma had a matrimonial dispute with his wife. An FIR was registered against him. Subsequently, the said matrimonial dispute was amicably settled and marriage between his son and his wife was dissolved by a decree of divorce passed on 31.03.2018. The accused Roop Singh was working as a munshi/clerk of the advocate who was engaged by the complainant and his family during the course of the abovementioned matrimonial litigation. Even after conclusion of the said litigation, accused Roop Singh had continued visiting the complainant and his family members and gradually gained their



confidence. He represented to them that he had become a practising advocate after completing his law degree.

3. As per the further allegations, the accused Roop Singh visited the jewellery shop of the complainant as on 04.09.2018 and represented to him that former wife of his son had initiated some litigation before this Court with regard to the previous matrimonial dispute and also told him that if immediate legal action was not taken, the complainant and his family members would be sent to jail. He assured the complainant to get some senior advocate engaged in this Court for the purpose of defending his family members and himself. He also allured the complainant to institute proceedings for recovery of compensation from his daughter-in-law and her family members and on that pretext, he secured the signatures of the complainant and his family members on several blank or typed papers as well as Vakalatnama. Being unaware about the technicalities of law and while reposing faith on the accused Roop Singh, the complainant and his family members had signed such papers. However, even subsequently, the accused Roop Singh kept on telling that they would be entangled in other litigations and also that he had engaged counsel and had moved petition for grant of compensation in their favour and further that an order had been passed by this Court granting compensation to the tune of Rs.35 lakhs in favour of the complainant and then by inducing that much more compensation could be given to them, he extracted money from the complainant and his family members.



4. As per the further allegations, accused Roop Singh further represented that the Hon'ble Supreme Court had enhanced the compensation amount to Rs.5 crores in favour of the complainant and again extracted money from the complainant. The signatures and fingerprints of son of the complainant were taken and several blank papers and stamp papers etc. were got signed by the complainant even subsequently also and in this manner, an amount of Rs.40 lakhs was extracted from the complainant/his family members by the above named accused Roop Singh. Whenever the complainant asked about the amount of compensation, the accused Roop Singh made one or the other excuse and he kept on extracting different amounts of money from 2021 to 2023 also and an amount of approximately Rs.2,53,26,850/- was extracted by Roop Singh from the complainant under the guise of pursuing fictitious judicial proceedings. The accused Roop Singh also instilled fear in the mind of the complainant and his family members. Ultimately, when the accused Roop Singh did not give any satisfactory reply about the fate of the litigations initiated on behalf of the complainant and started avoiding him and even stopped taking his telephone calls, on suspicion having been arisen, the complainant made inquiries and came to know that the representations as made by the accused Roop Singh were totally false and he had cheated him by duping him of huge amount of money and by showing false and fabricated documents of judicial proceedings to him. As such, he prayed for taking action in the matter.

5. After registration of FIR, investigation proceedings were initiated. It was revealed that the complainant had made payment of money



to the accused Roop Singh not only in cash but also through banking channels. On checking the account statements, it was revealed that the money deposited by the complainant had been got transferred by accused Roop Singh in different bank accounts maintained by himself and his accomplices, one of whom was the present petitioner and also the co-accused Gudia Devi, Ruvi Devi, Abhishek and Surender Kumar. The accused Roop Singh was arrested. He suffered disclosure statement on interrogation admitting his involvement in the crime and about transfer of substantial portion of the cheated amount into bank account of Gudia Devi, petitioner, Abhishek and Surender Kumar. Accused Gudia Devi was arrested on 27.12.2025. She disclosed that at the instance of the petitioner, she had permitted credit of an amount of Rs.30 lakhs into her bank account which were transferred on the instructions of accused Roop Singh. The petitioner was arrested on 01.03.2026 and she too admitted that an amount of Rs.20 lakhs was credited into her bank account and was transferred at the instance of accused Roop Singh.

6. In their statements so suffered, accused Gudia Devi, sister of the Ruvi Devi and the petitioner, wife of the nephew of accused Ruvi Devi, also disclosed that it was on the asking of Ruvi Devi that they had allowed transfer of money in their respective banks accounts. The accused Ruvi Devi was nominated as additional accused. Investigation qua the petitioner now stands concluded.

7. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case on the basis of disclosure statement of co-



accused which cannot be considered to be legally admissible in evidence. She was not named in the FIR. There is no direct link between her and the accused Roop Singh, who was the main culprit. The amount of ₹20 lakhs had been transferred in her bank account by accused Roop Singh on asking of the accused Ruvi Devi, who is aunt of the petitioner. This money was given back to Ruvi Devi by the petitioner through GPAY account. She is not beneficiary of any transaction. She is in custody since long. She is not required for further investigation. The trial will take considerable time to conclude. No useful purpose would be served by detaining her in custody anymore. Her antecedents are clean. The subject offences are triable by Magistrate. It is, therefore, argued that the petition deserves to be allowed.

8. *Per contra*, learned State counsel, while relying upon the status report, has argued that taking into consideration the gravity of the allegations as leveled against the petitioner, she does not deserve to be extended benefit of bail.

9. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

10. The petitioner, in connivance with the co-accused Roop Singh, Gudiya Devi, and Ruvi Devi, is alleged to have facilitated her bank account for the purpose of transfer of an amount of ₹20 lakhs, which was extracted from the complainant. The allegations *prima facie* make out a case for commission of subject offences as against the petitioner. However, she has been in custody since 1st March 2026. The chances of conclusion of trial in



near future are bleak as the investigation is still in progress and some of the accused who have absconded are yet to be arrested. The offences as allegedly committed by the petitioner are triable by Magistrate. The well settled proposition of law is that bail is the rule and jail is an exception. Pre-trial incarceration should not be replica of post-conviction sentencing. The object of the jail is to secure appearance of the accused during trial, and it cannot be preventive or punitive. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail, subject to her furnishing personal and surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned and on the following conditions :-

- (i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.
- (ii) The petitioner shall not leave the country under any circumstance without permission of the learned trial Court.
- (iii) The petitioner shall appear before the Trial Court on each and every date of hearing unless her presence is exempted by Trial Court.



(iv) The petitioner shall provide her permanent address as well as present address before the learned trial Court at the time of furnishing of bonds and shall not change the same without informing the trial Court.

(v) The petitioner shall also give copy of her Aadhar Card, PAN Card if any and details of her mobile phone number(s) to the learned trial Court at the time of furnishing of bonds and in case, any change in her mobile phone number takes place, then she shall inform about the same to the learned trial Court in advance and shall keep her mobile phone switch on all times.

11. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

12. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

18.08.2026
Amit Sharma

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No