

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-8620 of 2015 (O&M)

Date of Decision:- 18.08.2015

Simmi Matta

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

**Present: Mr. N.S. Shekhawat, Advocate,
for the petitioner.**

**Mr. Naveen Sheoran, D.A.G., Haryana
for the State.**

**Mr. Satpal Dhamija, Advocate
for the complainant.**

SHEKHER DHAWAN, J.

Petitioner has applied for anticipatory bail under Section 438 Cr.P.C. on the ground that she has been falsely implicated in this case.

2. Relevant facts on the basis of FIR that complainant Sanjay Sirivastav disclosed that Ashish Bishnoi and his wife Simmi Bishnoi started residing in his neighbourhood flat. Ashish Bishnoi met him being a neighbourer and introduced himself as a Judge. His wife Simmi Bishnoi told that she has running a boutique of ready-made garments in the name and style of 'Little Divas' at Studio-28, MGF Mega City Mall, Mehrauli Road, Gurgaon. Ashish Bishnoi and Simmi used to come in big vehicles fixed with red beacons along with private security. With an intention to

cheat the complainant, petitioner approached the complainant that they could also invest in the business and become their partner. Complainant believed the same and gave ₹45 lacs in cash and deposited the amount in the bank account of 'Little Divas'. They did not give any document to complainant. Later on, Ashish Bishnoi gave photocopy of allotment letter to complainant in which he was shown to have been allotted a plot No.3 in Sector 56 and SCO No.87 in Sector 56. Thereafter, both the accused did not meet the complainant and complainant came to know that he was being cheated and FIR was registered against them.

3. Learned counsel for the petitioner took the plea that in fact Ashish Bishnoi was having live-in relationship with one Shweta, who was holding a very senior position in some T.V. News Channel. Ashish Bishnoi is at present confined in District Jail, Gurgaon. There was no question of impersonation on the part of petitioner. Thereafter, petitioner has deserted Ashish Bishnoi and got married to another person Manoj Kumar Chawla on 21.01.2015 and present FIR has been got registered in collusion with Ashish Bishnoi just to harass and humiliate the petitioner. Complainant is not having any documentary evidence to prove the payment. There was no SMS on telephone No.99998-22101 of petitioner and she be released on bail.

4. Learned State counsel as well as learned counsel for the complainant opposed the bail application.

5. Having considered the matter in its entirety, the allegations levelled against the petitioner are of serious nature, involving misappropriation of ₹90 lacs. Out of said amount, Bank transactions of ₹9

lacs, which was deposited in Bank account of petitioner. Recovery of said amount is yet to be effected. Therefore, the petitioner is not entitled to the concession of anticipatory bail.

6. Accordingly, the anticipatory bail filed by the petitioner is hereby dismissed.

August 18, 2015
naresh.k

(**SHEKHER DHAWAN**)
JUDGE