

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

207

CRM-M-33104-2015

Date of Decision: January 28, 2016

RUBY SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Meenakshi Poswal, Advocate for the petitioner

Mr.Charanjit Singh Bakshi, Addl.A.G.Haryana

Mr.Manish Soni, Advocate for complainant

M.M.S.BEDI, J.(Oral)

Petitioner is wife of Shashi Kant. She is alleged to have connived with the main accused Shashi Kant to play fraud with complainant Nar Singh who is running the business of supplying man power under the name and style M/s Rahul Man Powers Services. The husband of the petitioner was allegedly operating bank accounts of the complainant and misappropriated the cheque books after signing the same and fraudulently transferring the sum of Rs.12,00,000/- in the name of his father from the accounts of the complainant.

Counsel for the complainant has intervened to contend that the petitioner has been actively participating in the fraud which has been played on the complainant in connivance with her husband. Counsel for the complainant vehemently urged that there are number of bank entries and amounts which indicate that the petitioner was dealing with the money alleged to have been obtained from the complainant.

I have considered the said contentions and I am of the opinion that the investigation which can be conducted and completed on the basis of documents would not always require custodial interrogation.

I have heard counsel for the petitioner, counsel for the complainant and State counsel. The culpability of the petitioner, who is wife of the main accused, is apparently distinguishable from that of her husband who has not yet been arrested. The petitioner has joined investigation and his custodial interrogation is not required. The petition is allowed. It is ordered that in case of arrest of the petitioner, she will be released on bail to the satisfaction of the arresting officer subject to the conditions that the petitioner will join investigation as and when required and will not tamper with the evidence or hamper investigation in any manner.

Nothing said in this order will be treated as precedent for similar petition qua other accused.

January 28, 2016
TSG

(M.M.S.BEDI)
JUDGE