

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. No.M-37661 of 2016
Date of Decision: 21.10.2016

Sunita

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Arun Singal, Advocate
for the petitioner.

HARI PAL VERMA, J.

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.825 dated 12.8.2016 under Sections 323/384/389/379-B/420/467/468/471/34 IPC registered at Police Station City Karnal, District Karnal.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case and she apprehends that she may be arrested on false allegations. He has submitted that neither the name of the petitioner has been mentioned in the FIR nor there is any allegation against her. The alleged incident is of 10.8.2016 whereas the FIR in question was registered on 12.8.2016. Hence, there is delay in lodging the FIR.

I have heard learned counsel for the petitioner.

The allegations against the petitioner are that she along with her husband called the complainant to their house on the pretext that they have purchased a new house at Karnal, for which inauguration is fixed for 10.8.2016. The petitioner invited the complainant for inauguration, as he had saved the petitioner and her children in an accident and therefore, the children were insisting that the complainant should be present at the time of inauguration of their house. However, when the complainant reached there, the petitioner-accused called 4-5 boys along with a woman. They alleged that the complainant has done a wrongful act with the petitioner and started beating him. They threatened to involve him in a rape case and further threatened him that they will call his children and defame him in the society. They also demanded Rs.20 lacs from the complainant and forcibly took him to Karnal Court where some person known to them was sitting, who prepared a false affidavit in the name of the complainant, as per which Rs.50,000/- was to be paid by him. Thereafter, they took him to Panipat, where the complainant went inside his shop on the pretext of bringing money and the said boys remained present outside his shop. The complainant raised noise, on which the said boys fled away on their motorcycle. It has also been alleged that the accused have removed Rs.14,000/- from the pocket of the complainant. In this manner, the present FIR was lodged and on investigation, antecedents of the petitioner-accused have also been disclosed. Thus, there are serious allegations against the petitioner which need investigation.

The antecedents of the petitioner-accused have also been disclosed in the police report submitted before the learned Additional Sessions Judge that there are two more similar cases against the petitioner of almost alike nature.

Therefore, the modus operandi adopted by the petitioner in the instant case disentitles her from granting the relief of anticipatory bail.

Accordingly, the present petition is dismissed.

October 21, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No