

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

CRM-M No.39619 of 2016 (O&M)

Date of decision: 6th March, 2017

Partibha

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Jagdish Manchanda, Advocate for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Partibha in this petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.194 dated 16.12.2015 registered at Police Station Siwan, District Kaithal under Sections 406/420 IPC, are that initially a complaint (Annexure P1/T) was moved on 07.09.2015 by six persons leveling allegations against Vikram Mehta non-applicant/co-accused of the petitioner of having duped them of Rs.2.00 lacs by promising them to return the money with higher rate of interest and subsequently a second complaint was filed on 15.11.2016 by one of the previous complainants improving his version where name of the petitioner has been roped in.

Contentions of the learned counsel for the petitioner are that it is a subsequent belated afterthought the allegations have been levelled against the present petitioner as the initial stand of the victim nowhere attributed any role to the petitioner and in his subsequent complaint also

the role, if any, is attributed to Vikram Mehta and that nothing is to be recovered from her.

The factual scenario could not be displaced by learned State counsel but bail has been opposed on the grounds of heinousness of the offence and seriousness of the allegations.

Appreciating the submissions, keeping in view this subsequent belated material improvement wherein name of the petitioner has been roped in and the fact that even in the subsequent complaint there is no allegation against her of duping the money except that she has accompanied the principal accused Vikram Mehta and that nothing is to be recovered from her, impels this Court to allow the prayer.

Thus, in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). She shall continue to join investigation and shall furnish an undertaking that she shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 6, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No