

CRM-M-43670 of 2016 :1:

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

CRM-M-43670 of 2016
Date of decision: 09.02.2017

Banan Sohar Ratta

... Petitioner

VS.

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

* * *

Present : Mr. Vikram Singh, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

* * *

DEEPAK SIBAL, J.(ORAL)

Through the present petition filed under Section 438 Cr. P. C., the petitioner seeks anticipatory bail in FIR No.1259, dated 21.11.2016, registered under Section 34, 406, 420 IPC, at Police Station City Karnal, District Karnal.

The case of the prosecution is that the petitioner who was working in the office of Deputy Commissioner, Karnal, in collusion and in conspiracy with her husband, namely Nihal Singh, who was a Patwari in the BDPO office, Chirao, duped the complainant for a huge amount of ₹36 lacs on the assurance that they would manage transfer of some Government land in favour of the complainant. However, after receipt of the afore referred amount which was paid by the complainant to both the petitioner and her husband, at their home, they have backed out of the assurance given by them.

Learned counsel for the petitioner submits that no money was given to the petitioner; as per the allegations, the amount of ₹36 lacs has been given to her husband and not to the petitioner and that the petitioner is a lady of about 58 years of age.

Learned State counsel while opposing the grant of bail submits that the petitioner's husband has very recently approached the Sessions Court for the grant of anticipatory bail. Prior thereto, he was evading arrest. He further submits that the huge amount of ₹36 lacs in cash has been alleged to have been paid to the petitioner and her husband which is yet to be recovered.

The allegations against the petitioner are serious. It is alleged that a huge amount of ₹36 lacs in cash on demand by the petitioner and her husband was paid to them at their home. On receipt of such amount the petitioner who was serving in the office of the Deputy Commissioner, Karnal, and her husband who was serving as a patwari in office of the BDPO, Chirao, is alleged to have assured the complainant that they would manage transfer of Government land in favour of the complainant at an extremely low rate. After receipt of the above money, they allegedly have gone back on that promise. The alleged amount of ₹36 lacs is yet to be recovered. The petitioner is alleged to have accepted money to misuse the office held by her in connivance with her husband who was also a Government servant. Whether, other similar deals were struck by them with others, is a matter which would need deeper probe.

In view of the above factual position in the case in hand, in my opinion, custodial interrogation of the petitioner is warranted.

Resultantly, finding no merit in the present petition, the same is

ordered to be dismissed.

Nothing observed herein above shall be considered to be an
expression of opinion by this court on the merits of the case.

February 09, 2017

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(Deepak Sibal)
Judge

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No