

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

**CRM-M-53298-2018 (O&M)
Date of Decision:- 13.12.2018**

Preeti ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanjeev Majra, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

Petitioner-Preeti seeks grant of anticipatory bail in respect of a case registered against her vide FIR No.32, dated 22.7.2018, registered at Police Station Cyber Crime, Gurugram, under Sections 406, 419, 420, 120-B IPC and Section 66-D of Information Technology (Amended Act), 2005.

The FIR was registered at the instance of Arvinder Singh wherein it has been alleged that on 21.7.2018 he received a telephone call from an unknown woman from mobile No.8929175289, wherein she represented that she is calling from UCO Bank and that the Bank is giving loan @ 6% and that in case the petitioner wanted a loan of ₹4 lacs, then one

advance cheque of ₹40,000/- be issued in the name of Bharti AXA. Although, the petitioner inquired as to why an advance cheque is required for obtaining a loan but the said woman replied that the same is required for an unsecured loan and that they would send an employee to collect the cheque. Subsequently, another telephone call was received that the said employee was held up and asked the petitioner to send the cheque. The petitioner sent the cheque through his friend Ankur Jain but when Ankur Jain met with the person to whom the cheque was to be handed over and asked for his identity card, the said person did not show any identity card which led to suspicion and the matter was reported to the police.

It is further the case of prosecution that the husband of the petitioner was arrested and during his interrogation he admitted that his wife is working in a Call Centre which holds out false representations to customers regarding advancement of loans and thus obtained cheques from gullible customers.

Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in the present case and even as per the FIR no amount was ever taken from the complainant. It has further been submitted that the petitioner in any case deserves concession of bail on the grounds of parity since co-accused Ashok Gupta has already been granted regular bail.

The learned State counsel on the other hand has opposed the petition and has submitted that custodial interrogation of the petitioner is necessary as the entire scam and the modus-operandi is to be unearthed and as such, no case for grant of anticipatory bail is made out.

Having considered rival submissions addressed before this Court and bearing in mind the nature of allegation and also the fact that the complainant has not actually been defrauded of any amount and also that the petitioner is a lady, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such is accepted. In the event of arrest, the petitioner be released on bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

December 13, 2018
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No