

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16989-2019
Date of decision-03.07.2019

Rajo Devi

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.P.S.Virk, Advocate for the petitioner.

Mr. Vikramjit Singh, Addl.A.G.Haryana assisted by
ASI Dashrat.

MANOJ BAJAJ, J.

Petitioner-Rajo Devi has prayed for grant of pre-arrest bail in case FIR No.349 dated 30.03.2019 under Sections 406, 420 and 506 of Indian Penal Code registered at Police Station Karnal Sadar, District Karnal.

The FIR was registered on the statement of complainant, namely, Dilbag Singh wherein it was alleged that Jitender @ Kala, Dharmender @ Ashu and Rajo Devi (petitioner) had induced him to purchase one kg of gold for a sum of Rs.23,00,000/-. The complainant did not believe it, however, to ascertain this offer, he went to the house of Jitender and Kirshan @ Bablu. On their asking, he met Rajo Devi (mother of co-accused) who had shown the gold brick from her house. It was mentioned that on different occasions, he paid Rs.23,00,000/- to the accused persons, however, neither the gold was given to him nor the amount was returned.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 12.04.2019 whereby while issuing notice of

motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged inducement was given by Jitender @ Kala and Krishan @ Bablu whereupon complainant invested a sum of Rs.23,00,000/- in the business of gold. According to him, the mother of those two persons namely, Rajo Devi (petitioner) has been falsely implicated as against her, there is no allegations of inducement. The FIR further reveals that the amount was paid to these two persons only.

Notice of motion for 03.07.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted herself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

On the other hand, learned State counsel who is assisted by ASI Dashrat opposed the prayer for grant of bail on the ground that the offence is serious. According to him, a gold brick worth Rs.30,00,000/- already stands recovered from the house of the petitioner.

At this stage, learned counsel for the petitioner contends that actually son of the petitioner is engaged in illegal activities who is facing approximate 21 criminal cases. He submits that the petitioner is a lady and cannot be believed to be involved in the crime. However, he is unable to

dispute the fact that she is mother of the co-accused and is residing in the same house.

Considering the allegations and nature of the offence, no case is made out for grant of extra ordinary concession of pre arrest bail to the petitioner.

Consequently, petition is dismissed.

03.07.2019

vanita

(MANOJ BAJAJ)

JUDGE

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