

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 858 of 2020

- Mrs. Sadhna Dubey W/o Dr. S.N. Dubey, Aged About 67 Years C/o Shiva Diagnostic Centre, Magarpara, Permanent Resident of the above address at Bilaspur, Chhattisgarh.

---- Applicant

Versus

1. State of Punjab Through S.H.O, Police Station Punjab State Cyber Crime Police, Phase 4, S.A.S. Nagar, Punjab.
2. State of Chhattisgarh Through Superintendent of Police, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondents

For Applicant : Shri Abhishek Sinha, Advocate.

For Respondent No.1/State : Smt. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

04/08/2020

1. Heard through video conferencing.
2. With the consent of learned Counsel appearing for the parties, the matter is heard and decided finally.
3. The instant application is filed for grant of transit anticipatory bail. The applicant is apprehending her arrest in connection with Crime No. 2/2018 registered at Police Station Punjab State Cyber Crime Police, Phase 4, SAS Nagar, Punjab for the offence punishable under Sections 420, 406 of the Indian Penal Code and Section 66 of the I.T. Act.

4. The present applicant is a resident of C/o Shiva Diagnostic Centre, Magarpara, Bilaspur, Chhattisgarh. She has received a notice under Section 41A (1) of the Cr.P.C. on 25.6.2020 from S.H.O. Police Station State Cyber Crime, Phase 4, S.A.S. Nagar, Punjab.
5. Learned Counsel for the applicant submits that the F.I.R. has been lodged against the applicant on 9.6.2018 and she has received notice for the first time on 25.6.2020. He further submits that *prima facie*, no case is made out against her. Therefore, she wants time to approach appropriate Court for seeking appropriate relief. However, in view of the lockdown due to pandemic 'Covid-19' and the fact that applicant is a senior citizen, reasonable time to move an application before competent Court for seeking appropriate relief is required. Therefore, it is prayed that the applicant may be granted transit anticipatory bail.
6. Learned Counsel appearing for the State formally opposes the bail application.
7. I have heard learned Counsel appearing for the parties and perused the material available.
8. Considering the facts and circumstances of the case, the instant application under Section 438 of the Cr.P.C. for grant of transit anticipatory bail is allowed and applicant is protected for a period of fifteen weeks to enable her to prefer an application before the competent Court for appropriate relief. She shall also abide by all the following terms and conditions :

- (I) It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she

shall be released on transit anticipatory bail on executing a personal bond in the sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer/ S.H.O;

(ii) This interim protection is granted for a period of **fifteen weeks** to enable the applicant to prefer an application before competent Court for appropriate reliefs.

9. Accordingly, this application is allowed/disposed off.

Sd/-
(Arvind Singh Chandel)
Judge