

In virtual Court

CRM-M-12390-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12390-2020 (O&M)
Date of decision: 11.08.2020

Babli Devi and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Gautam Kaile, Advocate
for the petitioners.

Mr. Sumit Jain, Addl. AG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.444 dated 29.09.2019 under Sections 34, 420, 467, 468, 471, 506, registered at Police Station Kurukshetra University, District Kurukshetra.

On 15.05.2020, following order was passed by this Court: -

“...Learned counsel for the petitioners contends that the allegations in the FIR are that the petitioners after having taken money had sent the son of the complainant to Cambodia instead of Italy. He, however, contends that the FIR is the offshoot of a monetary dispute about the purchase of land.

Issue notice to the respondent returnable on 06.07.2020.

At the asking of the Court, Mr. Gaurav Mohunta, DAG,

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Haryana accepts notice on behalf of the respondent-State.

The arrest of the petitioners shall remain stayed till the next date of hearing.”

Reply by way of affidavit of Deputy Superintendent of Police, Kurukshetra filed in the Court today, is taken on record. As per this affidavit, petitioner No.2 is involved in as many as 05 cases; 03 under NDPS Act and 02 under IPC, details of which is given in para No.3 of this affidavit. It is further stated in the affidavit that there are serious allegations against the petitioners, who have cheated the complainant for an amount of Rs.15.00 lacs and at one point of time, there was a compromise, in which the petitioners undertook to pay back the amount, however, they resiled.

A perusal of the FIR shows that primary allegations are also against petitioner No.2, who allured the complainant to pay Rs.15.00 lacs for sending her son to Italy and providing him a job there.

In view of the above, this petition is allowed qua petitioner No.1 and the interim bail granted to her vide order dated 15.05.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C., however, considering the fact that there are serious allegations against petitioner No.2 and the fact that he is involved in five other cases/FIRs, present petition qua petitioner No.2 is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

11.08.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No