

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

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CRM-M No.17347 of 2020
DATE OF DECISION : 3rd JULY, 2020

Sugna Devi @ Sugni Devi

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. Pankaj Bali, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory/pre-arrest bail in case FIR No.642 dated 12.09.2019 registered under Sections 406, 420, 506, 120-B IPC and Section 24 of Immigration Act, at Police Station Gharaunda, District Karnal.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted and created as pressure tactics. Otherwise, the petitioner is only a household lady and not involved in any activity like the one alleged against her. The petitioner has been sought to be involved only for the reason that her son might have tendered the property owned by the petitioner as some collateral security in alleged transaction of loan. Not only this, even during the investigation, the police had recorded statement of several persons, who had deposed before the police that the transaction, if any, did not involve the promise of sending the complainant abroad at all, rather, it was pure

and simple temporary loan transaction. Still further, it is submitted that there is no other case against the petitioner. Even the son of the petitioner, against whom the main allegations are levelled, has been released on bail.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State. Mr. Parminder Singh, Advocate appears and accepts notice on behalf of the complainant.

Learned State counsel, being instructed by SI Balwan Singh, has submitted that the name of the petitioner has specifically surfaced in the case. There are specific allegations against the petitioner as well, like the one against her son. It is also submitted that the recovery of the money is yet to be effected. Hence, the petitioner does not deserve the concession of anticipatory bail. However, it is not disputed that the co-accused son of the petitioner has already been granted bail.

Learned counsel for the complainant has also submitted that the petitioner and her son has not disputed that they have received the money. However, the money is yet to be recovered from them. Even the passport of the complainant has not been recovered so far. Hence, the petitioner be not granted anticipatory bail.

Having heard learned counsel for the parties, this court finds it to be a fit case for grant of anticipatory bail. Once, it is not even disputed by the accused side that it was a money transaction, then this could, at the best, be a civil dispute. Moreover, the co-accused with similar allegations has already been released on bail.

In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail subject to her furnishing personal

bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

3rd JULY, 2020
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>