

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-32810-2020

Date of decision: 28.10.2020

Saloni Saluja

.....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Mandeep Kaushik, Advocate for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Saloni Saluja, stated to be aged 32 years, has filed the present petition *inter alia* with a prayer for grant of regular bail in case FIR No.0244 dated 26.02.2020 (Annexure P-1), registered under Section 10 of Immigration Act and Section 420 IPC (Sections 406, 467, 468 & 471 IPC added later on), at Police Station Thanesar City, District Kurukshetra.

Learned counsel for the petitioner, based on the pleadings, submits that in fact, the petitioner has not committed any of the alleged offences. As per the allegations in the FIR, it was in January 2019 that the complainant's daughter had allegedly applied for visa through Thomas Education Centre. Thereafter, in the month of March 2019, Mohit had been in correspondence with daughter of the complainant and then advised by Mohit, GIC account was

opened on 04.04.2019 (as per counsel for the petitioner, the said account is opened for depositing fee in respective colleges abroad). By making reference to Para 5 of the petition, learned counsel specifically submits that only allegation against the petitioner, as alleged in the FIR, is that the petitioner refused to give any identity proof and password to the daughter of the complainant. It is however admitted that she gave mobile number of the co-accused/Ravinder. By making reference to Para 7 of the petition, learned counsel submits that even as per the allegations in the FIR, there is no allegation of depositing of any amount in the name of the petitioner. In fact in the FIR, the allegations are for deposit of the amount in accounts of Vishal and Ravinder.

On instructions from SI Rishipal, learned State counsel submits that in fact as many as 18 FIRs were registered against the petitioner. He further submits that an SIT was formed and after completing the investigation, the FIRs were registered. He then submits that in mainly all the FIRs, pertaining to the present district, the investigation is complete and challan has been presented. In the present FIR, the challan was presented on 05.08.2020. There are total of 14 witnesses, out of which, none has been examined till date.

Faced with the situation, learned counsel for the petitioner submits that he has instructions to submit that in all the FIRs, challan has been presented and there was one FIR pertaining to the District Bhiwani, wherein investigation is complete. He submits that in one of the FIR No.59, registered at Shahbad, the petitioner has been released on bail by the trial Court. He further submits that in all the FIRs there is no allegation that any amount is received by the petitioner. In fact it was only in two FIRs that there were

allegations that some amount has been received by her which had been returned to the complainant. He further submits that the petitioner was in fact arrested on 18.01.2020 and was produced on production warrants in the other FIRs.

Learned counsel for the petitioner also submits that in view of the COVID situation, detention of the petitioner in jail would be dangerous to her life and also the fact that trial is likely to take some time, the petitioner may be granted concession of regular bail.

In view of the peculiar facts noticed above and the present situation due to COVID-19 and also the fact that trial is likely to take some time, this Court deems it appropriate to direct release of the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to her furnishing bail bonds/surety bonds.

However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

Accordingly, the present petition stands disposed of.

(GIRISH AGNIHOTRI)
JUDGE

28.10.2020

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No