

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

CRM-M-1341-2021 (O&M)

Date of decision: 22.04.2021

Minakshi Kwatra

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Karan Padam, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Minakshi Kwatra, an accused in FIR No.718 dated 19.09.2020, for offences under Sections 406, 420 IPC and Section 3 of the Haryana Protection of Interests of Depositors in Financial Establishment Act, 2013, registered with Police Station City Thanesar, District Kurukshetra.

Briefly stated the facts of the case as per prosecution story are that, criminal machinery in this case was set into motion by complainant Babita Rani, who in the written complaint submitted by her to the police sought taking of action against accused Minakshi Kwatra, her husband Sanjeev @ Rocky Kwatra and father in-law

Roshan Lal for misappropriating an amount of Rs.2,62,920/- collected by the accused under committee system but not making that payment to the complainant; on receipt of that complaint, an enquiry into the matter was got conducted from Economic Crime Branch; formal FIR was registered.

Apprehending her arrest in this case, the petitioner had approached the Courts of Sessions at Kurukshetra, by moving an application for grant of pre-arrest bail. Her such application, which was assigned to Addl. Sessions Judge, Kurukshetra was, however, dismissed, vide order dated 23.12.2020. Feeling aggrieved, the petitioner has approached this Court, craving for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record.

Here the allegations against the petitioner are quite grave and serious of misappropriating an amount of Rs.2,62,920/- payable to the complainant, in that way, cheating the complainant and playing fraud with her. Though, the petitioner is said to have joined the investigation in terms of the direction issued to her by this Court while granting her interim bail but as informed by the State counsel, the petitioner has neither got the amount in question recovered nor cooperated with the investigating agency during investigation. It being so, her custodial interrogation is necessary for complete and effective investigation and in case, same is denied to the investigating agency,

that shall leave many loopholes, gaps and lacuna in the investigation, which is uncalled for. Curtailing freedom of the petitioner is necessary for fair and effective investigation. Therefore, the petition is doomed for failure and is dismissed accordingly.

22.04.2021

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(H.S. MADAAN)
JUDGE

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