

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1389-2021 (O&M)
Date of Decision:-26.3.2021

Neelam

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Arun Singal, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by SI Surender.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of the case registered vide FIR No.370 dated 31.10.2019 registered at Police Station Civil Line Sonipat, District Sonipat under Sections 406 and 420 of Indian Penal Code, wherein offences under Sections 467, 468 and 471 IPC were added later on.
2. The FIR was lodged at the instance of Lila, wherein it is alleged that Neelam, who is the resident of their village, had represented that she could get their 'Recurring Deposit' accounts opened in 'Jan Chetana Company' and that the money so invested by the complainant Lila and by Meena and Manju would get doubled in 2 years. The aforesaid complainants being

taken in by the said representation, got 'Recurring Deposit' accounts opened and deposited nearly ₹1 crore for which Neelam gave bonds. It is alleged that although a period of 3 years have elapsed ever since they invested the amount but whenever they asked for the amount, Neelam keeps on putting of the matter on one pretext or the other. It is further alleged that Sushil Tyagi, Director of Jan Chetana Company also kept on lingering on the matter and subsequently Neelam told them that Sushil had fled away with their money.

3. The learned counsel for the petitioner has submitted the petitioner has falsely been implicated in the present case and that, in any case, it is the co-accused Sushil Tyagi, who has run away with the money of the investors and, as such, the petitioner, who was merely an employee working for the firm i.e. M/s Jan Chetana Company cannot be held liable in any manner.
4. Learned counsel for the petitioner has further submitted that the petitioner had been involved in two other identical cases, wherein she has been granted bail by the Trial Court itself. Learned counsel, in this regard, has referred to order dated 25.9.2020 passed by learned Additional Sessions Judge, Panipat (Annexure P-3) and order dated 5.10.2020 passed by learned Additional Sessions Judge, Panipat (Annexure P-4).
5. Opposing the petition, learned State counsel has submitted that the petitioner is the prime accused and it is she, who had represented to investors that their amount would be doubled and that, as such, she does not deserve the concession of bail particularly when she happens to be involved in 2 other cases. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 5 months and that challan stands presented.

6. I have considered rival submissions addressed before this Court.
7. Having regard to the facts and circumstances of the case especially that the petitioner, who is a lady, has been behind bars since the last about 5 months and challan already stands presented, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted, and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

26.3.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No