

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

CRM-M-1689-2020 (O&M)
Date of Decision:- 12.8.2021

Reena Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Keshav Pratap Singh, Advocate, for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Ram Avtar.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against her vide FIR No.973, dated 30.12.2019, Police Station Assandh, District Karnal, under Sections 420, 406, 506 IPC (Section 24 of Immigration Act added later on).
2. At the time of issuance of notice of motion on 16.1.2020 the following order was passed:

“Learned counsel for the petitioner contends that petitioner has falsely been implicated in the present case merely on account of the fact that she happens to be wife of Ajay Danial who is alleged to be a travel

agent operating in Delhi and the petitioner has been implicated simply to pressurize him to return the amount which he had received towards professional fee and other expenses. Learned counsel has further submitted that the petitioner is open to consider some amicable settlement.

Notice of motion for 26.3.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned counsel for the petitioner submits that although the petitioner is named in the FIR but a perusal of the FIR would indicate that in fact the allegations pertaining to passing on the amount mainly pertain to the co-accused Tarsem Singh as it is specifically alleged that the complainant had paid an amount of Rs.27 lakhs to Amarjit Singh and another amount of Rs.20 lakhs to Tarsem Singh. Learned counsel has further referred to the relevant extract of the FIR where it is mentioned that subsequently the complainant was forced to pay another amount of Rs.30 lakhs being pressurized to do so by Amarjit and Tarsem. It has further been submitted that it is accused Ajay Denial who is alleged to have made the family of the complainant board a flight from Delhi to America which in fact halted at Cambodia where the complainant and others were made to de-board.

Learned counsel has thus submitted that the petitioner has been falsely implicated simply to exert pressure upon Ajay Danial.

4. Learned State counsel, upon instructions from SI Ram Avtar, has however, opposed the petition while submitting that the petitioner is specifically named in the FIR and that she is not even fully cooperating after having joined investigation inasmuch as she is neither chosen to return any amount and nor is furnishing any particulars or the whereabouts of other co-accused.
5. I have considered rival submissions addressed before this Court.
6. This Court does find that the main allegation pertaining to receipt of money pertains to the co-accused. The petitioner is a lady and is stated to have joined investigation. In these circumstances, having regard to the facts and circumstances of the case and the role attributed to various accused, the petition is accepted and the interim directions issued by this Court vide order dated 16.1.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

12.8.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No