

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

**CRM-M-7514-2021 (O&M)**

**Date of Decision: 18.03.2021**

Dheerja Arora

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

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

Ms. Sheenu Sura, DAG, Haryana,  
assisted by ASI Om Parkash.

*(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.129 dated 30.05.2020 at Police Station Barara, Ambala, under Sections 406/420/120-B IPC and under Section 24 of the Immigration Act.
2. The FIR in question was lodged at the instance of Bhupinder Singh, wherein he has alleged that he wanted to send his son, namely, Atinderpal Singh abroad and came to know that one Naresh had sent his brother to Canada. The said Naresh introduced the complainant to Rohit and Gurwinder Singh Cheema, who represented that they could send the complainant's son abroad and stated that Saurabh also works with them. Rohit and others thereafter introduced the complainant with Kala Mana, father-in-

law of Saurabh and said Saurabh told the complainant that his father, maternal uncle and Dheerja Madam, who reside in Karnal, know Rajan and Mohit and that they all had constituted a team for sending people abroad. It is alleged that the said accused represented that they would send the complainant's son abroad for an amount of Rs.28,70,000/-. It is the case of the complainant that an amount of Rs.6,50,000/- was paid to the accused. It is further alleged in the FIR that on one occasion, the complainant's son met Dheerja Madam and one more lady, who was introduced as Rajan's sister-in-law and who was working in a Bank and the said persons took cheque and cash from complainant's son and went inside a shop. After sometime, they came outside and handed over 500 dollars to the complainant's son while stating that the remaining dollars will be given to him in Thailand.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the instant case and that even a bare perusal of the FIR would show that the petitioner is never stated to have ever represented the complainant regarding sending his son abroad and was not even present when the remaining co-accused held out such representation or accepted any amount. It has been submitted that the only role attributed to the petitioner is that she along with one more lady had got exchanged the Indian currency with dollars, which were handed over to the son of the complainant.
4. Opposing the petition, learned State counsel has submitted that in the instant case, apart from the fact that the name of the petitioner

figures in the FIR, co-accused namely Rohit Nagpal had made a disclosure statement during the course of interrogation to the effect that the co-accused along with Dheeraja Arora had allured the complainant by holding out a representation that they would send his son to Canada and had, thus, cheated the complainant of an amount of Rs.6,50,000/-.

5. I have considered rival submissions addressed before this Court.
6. A perusal of the FIR does not specifically show that the petitioner had never held out any representation for sending the complainant's son abroad and was not even present when the remaining co-accused had held out such representation and the only role attributed to her is that she had got the Indian currency given by complainant's son exchanged and had handed over dollars to the complainant's son.
7. As regards the contention of the learned State counsel regarding the co-accused having made a disclosure statement regarding involvement of the petitioner, the admissibility and veracity of such statement would be debatable. Thus, having regard to the facts and circumstances of the instant case, in my opinion it is not a case where custodial interrogation of the petitioner would be justified. The petition, as such, is accepted. The petitioner, in the event of her arrest, is ordered to be released on 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.

**18.03.2021**

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**(GURVINDER SINGH GILL)**  
**JUDGE**

Whether speaking/reasoned: **Yes/No**  
Whether reportable: **Yes/No**