

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208 CRM-M-25207 of 2021
Date of decision:01.10.2021

Saloni Saluja

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gourav Goel, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.358 dated 27.03.2020 registered under Sections 406, 420 of Indian Penal Code, 1860 at Police Station Thanesar City, District Kurukshetra (Annexure P-1).

As per the version of the prosecution, FIR (Annexure P-1) has been registered on the complaint of Rajesh on the allegation that Ravinder Mann, Vishal Mann, Saloni Saluja (present petitioner) and Gurmeet Kaur duped him of Rs. 9.00 lakhs on the pretext of sending his brother abroad on Study Visa. It has been alleged that the amount was deposited through electronic means in the bank account of accused, Ravinder Mann and when a dispute arose, Vishal Mann issued a cheque of Rs.8.50 lakh.

Counsel for the petitioner contends that though the petitioner has been named as an accused but neither any specific role has been ascribed to her nor is there any allegation of entrustment of money to her. He submits that in any case, dispute, if any, was between the accused Ravinder Mann, Vishal Mann and the complainant and the amount has been returned. He submits that though the petitioner has been named as an accused in number of cases with almost similar allegations but she has been granted the concession of bail in almost all of them. Counsel urges that the petitioner, who is 32 years old young lady and is in custody since 25.06.2020, is no longer required for custodial interrogation as the investigation qua her is complete and the challan has been presented.

Upon instructions from SI Gulzar Singh, State counsel has opposed the petition and submitted that the petitioner is the mastermind behind the racket and is involved in as many as 25 cases and has swindled innocent people under the guise of sending them abroad. As per his instructions, challan has been presented on 30.08.2020, charge has been framed on 14.01.2021 and 01 out of 13 prosecution witnesses has been examined.

I have considered the respective submissions of counsel for the parties.

Keeping in view the facts and circumstances of the case, nature of allegations, gravity of offence, the fact that the offences are triable by a Magistrate and the petitioner, who is a young lady and is in custody for the last more than 01 year and 03 months, is entitled to be released on bail

during the pendency of the trial.

Without examining the merits or demerits of the arguments advanced by counsel for the parties, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

It is clarified that any observation made hereinabove shall not be construed to be a reflection of opinion on the merits of the case.

October 01, 2021

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>