

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

**CRM-M No.36260 of 2021
Date of Decision:-05.10.2021**

Sunita

.....Petitioner.

Versus

State of Haryana

.....Respondent.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Virender Soni, Advocate
for the petitioner.

Mr. Vishal Kashyap, D.A.G, Haryana.

MEENAKSHI I. MEHTA, J.

Apprehending her arrest in the criminal case pertaining to the FIR bearing No.40 dated 15.02.2021 registered at Police Station Bawani Khara, District Bhiwani, under Sections 420, 406, 506 read with Section 34 IPC, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner, along-with her co-accused, had fraudulently received a sum of Rs.11,50,000/- from the complainant and his brother on the pretext of arranging for securing the government jobs for them.

Status-report, filed on behalf of the respondent-State, by way of the affidavit of Deputy Superintendent of Police (HQ), Bhiwani, is

already available on the file and the same is taken on the record.

I have heard learned counsel for the petitioner as well as learned State counsel in the instant petition and have also gone through the file thoroughly.

Learned counsel for the petitioner contends that the petitioner had, in fact, raised a loan of Rs.10 lacs from the complainant and she could not repay the same well in time and due to this reason, the complainant has got her falsely implicated in the present case and in these circumstances, she deserves the relief as prayed for in this petition.

Per contra, learned State counsel has argued that the petitioner has duped the complainant and his brother of the above-said amount on the false pretext of arranging for the government jobs for them and therefore, she does not deserve the relief of anticipatory bail.

The veracity of the contention regarding the petitioner having received the above-said amount as loan, can and shall be looked into and adjudicated upon by the trial Court at the appropriate stage after appreciating and evaluating the evidence that may be led on the record during the course of the trial and the same cannot be looked into and ascertained, at this stage, while deciding the present petition specially in the circumstances when it has categorically been mentioned in paras 3 to 5 in the status-report that during the investigation, the complainant had produced the pen drive containing video-clip showing the petitioner counting the money and also the copy of the *WhatsApp* chat between the complainant and the petitioner and her co-accused regarding the payment

of the above-said amount and threat extended to the complainant on account of his seeking the refund of the said amount and that the petitioner did not join in the investigation despite several notices having been served by the investigating agency to her for this purpose.

Keeping in view the foregoing discussion as well as the gravity of the allegations, as levelled against the petitioner, this Court is of the considered opinion that she does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand, being *sans* any merit, stands dismissed.

October 05, 2021

Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*