

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

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CRM-M-40379-2020 (O&M)

Date of Decision:- 28.09.2021

Saloni Saluja

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr.Mandeep Kaushik, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG Haryana,
assisted by SI Gulzar Singh

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in a case registered vide FIR No.420, dated 04.05.2020, Police Station Thanesar City, District Kurukshetra, under Sections 10 and 24 of Immigration Act and Sections 406, 420 and 506 IPC (Sections 467, 468 and 471 IPC added later on).
2. The allegations, in nutshell, are broadly to the effect that one Ravinder, Vishal and Saloni (petitioner) had represented to the complainant that they would send complainant's son Robin to New Zealand for an amount of Rs.18 lakhs. The complainant being taken

in by the said representation is stated to have paid an amount of Rs.5 lakhs through RTGS into the bank account of Ravinder on 24.05.2019 from his bank account and on the same day another amount of Rs.6 lakhs was also transferred in the account of Ravinder from the account of complainant's son Robin. However, the accused gave a fake visa on 17.08.2019 to the complainant's son and regarding which they came to know when the complainant's son was at the airport. It is further alleged that when the complainant confronted Ravinder and asked for return of amount he said that he would get a fresh visa within two months. However, the accused again gave a fake visa for New Zealand to the complainant's son on 30.11.2019.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the instant case and that even if the allegations as levelled in the FIR are taken to be correct, the petitioner is not stated to have taken any amount and it is the co-accused Ravinder in whose account the amount had been transferred. Learned counsel for the petitioner further submits that although she was involved in 18 other cases but stands released on bail in 13 cases.
4. Opposing the petition, learned State counsel has submitted that the petitioner stands involved in 23 identical cases and she has also suffered a confessional statement admitting that an amount of Rs.16 lakhs has been received in cash by her. She is also stated to have admitted that the complainant's son could not go abroad as the visa in question was found to be fake. Learned State counsel has also

informed that the petitioner as on date has been behind bars since the last about 1 year and 3 months and that as on date not even a single PW out of the cited 15 PWs has been examined.

- 5. I have considered rival submissions addressed before this Court.
- 6. Keeping in view the track record of the petitioner it does seem that the petitioner is a habitual offender. However, the fact remains that the petitioner has been behind bars for a substantial period of 1 year and 3 months and conclusion of trial is likely to consume time as not even a single PW out of the cited 15 PWs has been examined. In these circumstances, while taking a lenient view in the matter particularly keeping in view the fact that the petitioner is a lady, the petition is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

28.9.2021
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No