

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

210

CRM-M-1721-2022

Date of decision: 28.03.2022

PAYAL BASANDRA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Ranjit Singh Cheema, Advocate
for the petitioner.

Mr. V.G.Jauhar, Senior DAG, Punjab
for the respondent-State.

Ms. Navjot Kaur, Advocate for
Mr. Sandeep S.Majithia, Advocate
for the complainant.

SANT PARKASH, J. (ORAL)

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case, FIR No.225 dated 07.12.2021 registered under Sections 420/506/120-B of the Indian Penal Code, 1860 at Police Station Jodhewal, District Ludhiana.

The above-said FIR was registered on written complaint made by Sunil Kumar against Ranjan Kohli, Rajeev Basandra, Payal Basandra (petitioner) wife of Rajeev Basandra, Kiran Basandra and his wife Lalita Basandra alleging that there is a temple in his house made by his brother Amit Kumar @ Rinku Baba where he also worships and perform Pooja. Rajeev Basandra and his family also used to visit there. Subsequently, Rajeev Basandra induced the complainant to invest money in their business of export on the assurance of getting huge

profit. On the asking of Rajeev Basandra, complainant alongwith Gurjinder Singh, Gurdeep Singh @ Neeta, Vinay Jindal, Robin Simak and Rishab Simak invested approximately Rs. 43 Lakhs over a period of 2-3 years and now the accused persons have refused to return the said amount.

The petition has been opposed by the learned State Counsel as well as learned Counsel for the complainant. However, no reply has been filed on their behalf.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case on the basis of a concocted story at the instance of complainant. The contents of the present FIR would reveal that the present case is a civil dispute. The petitioner has been allegedly implicated in the present case only to extort money. The main allegation of cheating and threatening the complainant is against co-accused Rajeev Basandra. There is no specific allegation in the FIR regarding cheating or threat being attributed to the present petitioner. Co-accused Ranjan Kohli, Lalita Basandra and Kiran Basandra have already been grant anticipatory bail by this Court vide order dated 24.03.2022. The custodial interrogation of the petitioner is not at all required. The petitioner is ready and willing to join the investigation.

Opposing the contentions, learned State Counsel as well as learned Counsel for the complainant have vehemently argued that the present petitioner is wife of main culprit/accused Rajeev Basandra, who

induced the complainant and other to invest money in his business and cheated the complainant on the false pretext of giving high returns. The custodial interrogation of the petitioner was required for thorough and fair investigation.

After having heard and considering the factual position discussed above, there are no specific allegations against the present petitioner, who is wife of the main accused Rajeev Basandra, with regard to the fraudulent inducement of the complainant to invest money, co-accused Lalita Basandra and Kiran Basandra, who are parents of the main accused and Ranjan Kohli have already been granted anticipatory bail by this Court and the custodial interrogation of the petitioner is not required, the present petition is disposed of with a direction to the petitioner to join the investigation and remain present as and when called for and in the event of arrest, the petitioner shall be admitted to bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. failing which the protection of anticipatory bail order shall not be available to her.

The observations made herein are strictly for the disposal of the present petition and nothing shall be construed to be an expression on merits of the case.

28.03.2022
kavneet singh

(SANT PARKASH)
JUDGE

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