

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(209)

CRM-M-21389-2022

Date of decision: - 29.11.2022

Poonam Suryavanshi

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rohit Mittal, Advocate,
for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Ms. Rosi, Advocate
for the complainant.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.748 dated 01.10.2021, registered under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC, at Police Station Camp, Palwal, District Palwal.

On 18.05.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“By filing this petition under Section 438 Cr.P.C., the petitioner has sought pre-arrest bail in case FIR No.748 dated 01.10.2021 under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC, Police Station Camp, District Palwal.

The FIR was lodged on the complaint of one Mohit Raj, who stated that in the year 2018 he came in contact with one Rajpal

Suryavanshi (husband of the petitioner), who told the complainant that he could place any person in Government job. He also told the complainant that his wife Poonam, younger sister Renu and elder sister Kalpana Sarathi were also associated with him and were involved in securing Government jobs to various people. It is alleged that the complainant and some other persons were allured by Rajpal and they also paid an amount of Rs.20,60,000/- to Rajpal. However, neither the amount was returned nor was Rajpal able to arrange Government job for the complainant or any other person.

Ld. Counsel for the petitioner has argued that as per the allegations in the FIR, the amount was allegedly given to Rajpal. He is in custody since 28.04.2022. The prosecution is only relying on the disclosure statement of Rajpal, wherein, he is alleged to have stated that the petitioner and two sisters of Rajpal were also involved with him and that whenever the complainant or any other person demanded money back, the petitioner and sisters of Rajpal would threaten the said person of involving him in false case of molestation. It is further alleged that out of the amount of Rs.20 lacs, Rajpal has purchased a car for an amount of Rs.4,60,000/- for the use of his wife (petitioner).

Ld. Counsel for the petitioner states that the petitioner is a house-wife. She is in no way involved in the working affairs of her husband Rajpal.

Notice of motion for 23.08.2022.

*Meanwhile, in the event of arrest, the petitioner **Poonam Suryavanshi** shall be released on interim anticipatory bail to the satisfaction of the Arresting/Investigating Officer, subject to the conditions provided under Sections 438(2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.*

May 18, 2022

**(HARINDER SINGH SIDHU)
JUDGE"**

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from the investigating officer, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances more so, the facts which have been noticed in abovesaid order dated 18.05.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 18.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

November 29, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No