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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25602-2022
Date of Decision: 06.07.2022

Rose Wifey @ Vaiphei

....Petitioner(s)

Versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sanchit Punia, Advocate, for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 8 dated 06.01.2020, under Sections 406, 420, 467, 468, 471, 120B IPC and Section 66C/66D of I.T Act, registered at Police Station City Hisar, District Hisar.

It has been submitted by the learned counsel for the petitioner that the petitioner is a lady aged 32 years and she is in custody from 02.08.2021. He further submitted that the investigation of the present case has been completed and thereafter, the challan has been presented before the learned trial Court and thereafter even the complainant namely Dr. Ashwani has already been examined as PW1 and has referred to the order passed by the learned trial Court dated 19.04.2022 in this regard. He further

submitted that the petitioner has been falsely implicated in the present case and as per the allegations some other lady namely Sonia had called the complainant for demanding some money on the pretext that it was required for the medical treatment of the family member of the lady in England and consequently the complainant had transferred an amount of Rs. 18,80,000/- for that purpose. He further submitted that the account in which the amount was transferred did not belong to the petitioner and petitioner was never the beneficiary of any money transaction and has been falsely implicated in the present case. He submitted that be that as it may, the petitioner has already suffered incarceration for 11 months and the complainant has been examined. He further submitted that the petitioner is not involved in any other case and has clean antecedents and, therefore, the petitioner may be considered for the grant of regular bail.

On the other hand, Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana has submitted that it is correct that the petitioner is in custody from 02.08.201 and the complainant namely Dr. Ashwani has already been examined as PW1. He further submitted that during the investigation it was found that the mobile which was used in calling the complainant belonging to the petitioner and that was the reason as to why she was nominated in the present case. So far as the involvement of the petitioner in any other case is concerned, he categorically submitted on instructions that the petitioner is not involved in any other case.

I have heard the learned counsel for the parties.

The petitioner who is a lady aged 32 years has faced incarceration for about 11 months and the complainant has already been examined as PW1 as per the learned counsel for the petitioner. The

petitioner is not involved in any other case and as per the learned counsel for the petitioner no amount was transferred in any account belonging to the petitioner.

In view of the aforesaid facts and circumstances of the present case, this Court deems it fit and proper to grant bail to the petitioner.

Consequently, the present petition is allowed. The petitioner shall be released on regular bail subject to furnishing bail bonds/surety to the satisfaction of the learned trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

06.07.2022

rakesh

**(JASGURPREET SINGH PURI)
JUDGE**

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