

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

CRM-M-27591-2019 (O&M)

Date of Decision:- 1.9.2022

Pushpa

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Krishan Singh, Advocate for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by ASI Sanjay.

Mr. Namit Khurana, Advocate for the complainant.

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of anticipatory bail in a case registered against her vide FIR No.1260 dated 29.9.2018 under Sections 420/120-B IPC at Police Station City Jagadhri, District Yamuna Nagar.
2. The FIR was lodged at the instance of Radha Rani wherein it is alleged that her husband had expired eight years ago. It is alleged that Aarti and Pushpa took an amount of ₹2 lacs from her while representing that they would arrange for a job for complainant's daughter-in-law, but neither they arranged for any job nor they returned the amount. It is further alleged that apart from the said amount of ₹ 2 lacs, the said accused also took an amount of ₹ 50,000/- from her on the pretext that they will get a loan sanctioned in her favour but no such loan amount was ever paid to her. The complainant stated that however, when she visited the bank, she was asked by the bank

officials to deposit instalments towards loan and it was then she got to know that a loan had been taken in her name. It is, thus, alleged that the accused had got a loan raised and got the same deposited in their account and that she has been cheated of an amount of ₹ 4,50,000/-.

3. The learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that there is no evidence worth credence to show that any amount had been given to her. It has further been submitted that if any loan had been raised in the name of the complainant, the same apparently would have been credited in her bank account. The learned counsel has further submitted that the matter, at best, could be said to be a monetary dispute and would not justify any kind of custodial interrogation.
4. Opposing the petition, the learned State counsel assisted by counsel for the complainant has submitted that it is a case where there are specific allegations of cheating against the accused which stands duly substantiated by documentary evidence in the shape of accounts statement in respect of account of the petitioner, which shows that an amount of ₹1,95,000/- had been credited into her account from the bank account of the complainant.
5. I have considered rival submissions addressed before this Court.
6. There are specific allegations levelled against the petitioner to the effect that the petitioner alongwith co-accused has duped the complainant of an amount of ₹ 4,50,000/-. It is specifically alleged in the FIR that the accused had represented to the complainant that they will get a loan sanctioned and that when the complainant visited the bank, she came to know that a

loan had indeed been sanctioned in her name but she had never been given any amount. During the course of investigation, the police has been able to collect bank account statement of the petitioner which shows that an amount of ₹1,95,000/- was credited into the account of the petitioner which infact had been got credited fraudulently on the basis of blank cheques of the complainant, which the accused had taken from complainant before the loan had been sanctioned. The aforesaid facts would clearly indicate the complicity of the petitioner. In these circumstances, no special case is made out for grant of anticipatory bail.

7. The petition is sans merit and is hereby dismissed.
8. However, in case the petitioner surrenders before the trial Court within a period of two weeks from today and applies for grant of regular bail, the learned trial Court shall endeavour to dispose of the same expeditiously preferably within a period of one week from filing of such application.

1.9.2022

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No