

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

208

2023:PHHC:135783

CRM-M-11253-2023

Date of decision: October 18th, 2023

Shilpa Mittal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vijay Kumar Jindal, Senior Advocate
with Mr. Akshay Jindal, Mr. Ajit Lamba
and Mr. Pankaj Gautam, Advocates
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, Deputy Advocate General,
Haryana.

Mr. Rajinder Sharma, Mr. Gaurav Arora,
and Mr. H.S. Dhindsa, Advocates
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail
under Section 438 of the Cr.P.C. in case FIR No.80 dated 07.02.2023
under Section 406, 420 and 120-B of the IPC registered at
Police Station Sadar, Thanesar.

2. On 03.03.2023, the matter was adjourned to 13.03.2023.

The relevant part of the said order reads as under:-

“Learned counsel submits that the petitioner is a housewife having two minor children. Learned counsel contends that as per the allegations levelled in the FIR, the petitioner is alleged to have defrauded and cheated the complainant of an amount of Rs.5,50,000/- allegedly invested in an Agency, namely, 'MITSON'. Learned counsel contends that the petitioner has no concern with the said Agency and it is the husband of the petitioner who was looking after the accounts of the petitioner and furthermore, the petitioner was not the beneficiary of any transaction”.

3. Vide order dated 13.03.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation.

4. Learned senior counsel for the petitioner submits that in compliance of order dated 13.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

5. The factum of the petitioner having joined investigation has not been disputed by learned State counsel, who on further instructions, has informed the Court that the petitioner is not required for further investigation much less for her custodial interrogation.

6. Learned counsel for the complainant has, however, opposed the prayer made by the learned senior counsel opposite by submitting that the petitioner is the wife of the main accused, who had lured innocent people into investing in the crypto trade, which was being managed by him. He has further submitted that an amount of ₹8.5 lakh was deposited in the account of the petitioner, which has not yet been recovered.

7. I have heard learned counsel for the parties and perused the relevant material on record.

8. In the light of the fact that in compliance of order dated 13.03.2023, the petitioner has joined investigation and cooperated with the investigating agency, which fact has not been disputed by the State counsel, the instant petition is allowed and interim order dated 13.03.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

October 18th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No