

CRM-M-46235-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision: 20.11.2023

SONIA CHOPRA

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Pankaj Bali, Advocate,
for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

Mr. Rajesh Bansal, Advocate,
for respondent No.2.

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C., seeking anticipatory bail to the petitioner in case FIR No.716 dated 04.08.2023, registered under Sections 420, 406 and 34 IPC, at Police Station Samalakha, District Panipat.

2. Status report dated 26.09.2023 by way of affidavit of the Mayank Mishra, IPS, Assistant Superintendent of Police, Samalkha, Panipat, filed in the Registry, is taken on record.

3. It is submitted by counsel for the petitioner that the case against the petitioner is totally false and concocted. The petitioner is not involved in the crime as alleged against her. Even as per the story of the prosecution, the petitioner was to send the son of the complainant on a work visa. The complainant had agreed for work visa for Malaysia via

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Thailand. The son of the complainant had, in fact, reached Malaysia. Therefore, no fault can be found with the conduct of the petitioner. The petitioner shall join the investigation as and when called by the police. Therefore, the petitioner deserves to be protected against her arrest.

4. On the other hand, counsel for the State, being instructed by ASI Pardeep, and being assisted by counsel for respondent No.2-complainant, has submitted that the petitioner has cheated the complainant of an amount of Rs.15 lakh. Out of that, an amount of Rs.1.86 lakh was transferred to the petitioner through the bank transaction. Therefore, the petitioner cannot assert that she is not involved in the case. The investigation is at the initial stage. The police are to unearth the true dimensions of the involvement of the petitioner in the activity of illegal migration, particularly, her involvement in the present case. The documents, as well as, the money involved in the case are yet to be recovered from the petitioner. Hence, custodial interrogation of the petitioner is imperative in the case.

5. Counsel for the complainant has further supplemented by saying that the petitioner had taken the money by assuring the complainant that his son would be sent to Canada. Therefore, there is no question of the complainant paying the money to the petitioner for Visa for Malaysia. The agreement, which is claimed by the petitioner for the work visa for Malaysia, is totally a fabricated document. Otherwise also, the son of the complainant was sent to Malaysia only on a 'visa on arrival'.

6. In view of the facts and circumstances available on record, as well as, the submissions by the counsel for the State, this Court does not

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find it appropriate to interfere in the matter so as to grant the concession of anticipatory bail to the petitioner.

7. Dismissed.

20.11.2023
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No