

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-55749-2023

Date of decision : 13.12.2023

REKHA GADAY

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Vishal Sharma, Advocate  
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

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KULDEEP TIWARI.J. (ORAL)

1. On the last date of hearing, i.e. 06.11.2023, the following order was  
passed:-

*“Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of her being enlarged on anticipatory bail, in case FIR No.122 dated 23.10.2023, under Sections 406 and 420 of the IPC, registered at Police Station Haryana, District Hoshiarpur.*

*The allegations, as levelled against the present petitioner, are that she alongwith her husband Sanjiv Kumar, while impersonating themselves as agents of insurance company, went to the complainant and allured her that her deceased husband had a life insurance policy of Rs.15,00,000/- at Bahrain, which has since matured. Accordingly, they allured the complainant to help her in getting the insured coverage amount of her deceased husband's insurance policy, and in lieu whereof, they*

*demanded Rs.1,00,000/- as commission. As a result of the above allurement, the complainant transferred approx. Rs.90,000/- in the account of Sanjiv Kumar and the present petitioner, on different dates.*

*The learned counsel for the petitioner submits that the petitioner is not the wife of Sanjiv Kumar, as alleged in the FIR, rather she is the wife of one Jagtar Singh Gaday. He further submits that there is no documentary evidence, whatsoever, available either with the complainant or the prosecution agency, to substantiate the allegations qua alleged transfer of money in petitioner's account. Therefore, he prays for the relief (supra) on the premise of the petitioner being falsely roped in the instant case.*

*Notice of motion for 13.12.2023.*

*Mr. Harpreet Singh, Addl. A.G., Punjab, accepts notice on behalf of State of Punjab.*

*In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency on 23.11.2023, or, as and when called upon to do so. In the event of her arrest, she shall be admitted to interim bail on her furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”*

2. Today, the learned State counsel on instructions, imparted to him by ASI Sushil Singh, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for custodial investigation.

3. In view of the specific stand taken by the learned State counsel, the present petition is allowed and order dated 06.11.2023, is hereby, made absolute.

( KULDEEP TIWARI )  
JUDGE

13.12.2023  
monika

Whether speaking/reasoned ? Yes/No  
Whether Reportable ? Yes/No