

In the High Court for the States of Punjab and Haryana
At Chandigarh

I) CRM-M-6427-2024 (O&M)

Tanu Kashyap ... Petitioner

Versus

State of Punjab ...Respondent

II) CRM-M-385-2024 (O&M)

Rishi Kumar Trivedi ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-14.3.2024

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gagandeep Singh Virk, Advocate,
for the petitioner in CRM-M-6427-2024.

Mr. Sudesh Sahi, Advocate,
for the petitioner in CRM-M-385-2024.

Mr. Vinay Kumar Malhotra, DAG, Punjab.

FIR No.	Dated	Police Station	Section/s
84	29.12.2022	City Raikot, Ludhiana	420 of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Tanu Kashyap and Rishi Kumar Trivedi seeking grant of regular bail in respect of abovementioned FIR.
2. The FIR in question was lodged at the instance of Pritpal Singh, wherein it is alleged that he had received a telephone call from his sister-in-law Rajinder Kaur, who stated that her husband's friend Bishan Singh, who resides in Switzerland, needs some monetary help and in case he calls the complainant, the complainant should help him. It is further alleged that shortly thereafter a telephone call was received by the complainant and the caller while representing himself as Bishan Singh asked for money on the pretext that mother of his friend was seriously ill and she needs medical treatment. Being taken in by the said representation, the complainant initially transferred an amount of Rs.20,000/- to the bank account of Rishi Kumar Trivedi. Similar calls were received subsequently and various demands were made and the complainant transferred a total amount of about Rs.9.99 lakhs.
3. Status reports by way affidavits of Shri Rachhpal Singh, PPS, DSP, Raikot, District Ludhiana (Rural) have been filed by learned State counsel in both the cases, which are taken on record.
4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and that, in any case, since the entire investigation stands concluded and challan has been presented, their further detention will not serve any useful purpose.
5. While learned counsel for petitioner – Tanu Kashyap submitted that she is unmarried girl aged about 23 years and has no role to play in the alleged

fraud, learned counsel for petitioner – Rishi Kumar Trivedi has submitted that the bank account of petitioner had perhaps been misused.

6. Opposing the petition, learned State counsel submitted that since during the course of investigation sufficient evidence have been collected against the petitioners and the involvement of the petitioners is clearly borne out, no case for grant of bail is made out. It has, however, been informed that the petitioners as on date have been behind bars since the last about 5 months and challan stands presented. It has also been informed that while petitioner – Tanu Kahsyap is not involved in any other case, petitioner – Rishi Kumar Trivedi happens to be involved in one more case registered in Uttar Pradesh.
7. This Court has considered the rival submissions addressed before this Court.
8. Without commenting anything as regards merits of the case, but having regard to the custody of the petitioners i.e. about 5 months and also the fact that conclusion of trial is likely to take some time as the trial is yet to commence and as many as 12 PWs have been cited, further detention of the petitioners will not be justified. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. A copy of this order be placed on the file of connected case.

14.3.2024
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No