



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

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**CRM-M No.36451 of 2024
Date of decision : 31.7.2024**

Renu Bala**.....Petitioner****Versus****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Aditya Sanghi, Advocate, for the petitioner

Mr. B.S. Virk, Senior DAG, Haryana

SANDEEP MOUDGIL, J (ORAL)**Relief Sought**

This is a petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of anticipatory bail to the petitioner in FIR No.22 dated 11.7.2024, under Sections 384 and 389 of the IPC, 1860, registered at Cyber Crime Police Station, Fatehabad, District Fatehabad.

2. Prosecution story setup in the present case as per the version in the FIR reads as under:

It is requested that I Amit Kamboj son of Shri Om Prakash and permanent resident of Gali No. 3 Satish Colony Fatehabad. I working as an agent in LIC Fatehabad since 2013. I have to go to the Village and City to insure people and many times people use to call me over phone and invite me home. In October 2022, I received a call from an unknown number 839897353 on my 966370074, who told her name as Niru. She asked me about my work and my name, who is a resident of Jalalabad Punjab and



she called me again after two days and said that I know everyone in your village, I will defame you in your village and LIC, if you want to avoid your defamation, then you will have to follow my instructions and she started calling me daily and started sometimes five demanding money thousand, from me, sometimes ten thousand and sometimes even twenty thousand rupees. She started putting pressure upon me for registering false rape case against me and extorted Rupees Six Lacs from me through QR code of Google Pay, account number in which the amount has gone same is 23610015008070]8. Upon seeing me upset, my father asked me the reason for my trouble. Due to fear, I did not tell anything at home, but after my father repeatedly pressurized me, I told him everything. My father enquired at his own level that the real name of that girl is not Niru but is Renu Bala daughter of Prem Kumar, resident of Jandwala Bada, Police Station Gurusahai, District Ferozepur, whose number is 859897353, which has been taken by preparing fake documents. I request you to register an FIR against the above accused and recover my money and take strict action against the above girl.

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner is an unmarried lady and is not involved in any case, she is earning her livelihood by running a boutique shop. The complainant with the help of his father, who is a retired Haryana Police Officer from the same district i.e. Fatehabad, got the FIR registered by misusing the influence of his official position. The allegations of intimidation involving the complainant are absolutely frivolous and without any iota of evidence and in fact, it is the complainant who committed the act of dis-trust being a



father of a 4 years old son and advanced gestures as of being an unmarried man for befriending on phone and face-book.

On behalf of the State

Learned State counsel, on instructions, submits that the petitioner is actually guilty of extorting ₹ 6 lakhs which were credited to her account by way of advancing threats to the complainant. Therefore, concession of granting anticipatory bail to her at this stage, would be fatal to the investigation.

4. Analysis

This Court does not find these assertions raised on behalf of the State, to be justified in the light of the fact that it seems to be a case of online friendship which culminated into a fraudulent act of complainant as well, who himself is the father of a 4 years old son, representing himself to be an unmarried man and allured the petitioner, who after unearthing this fact, came to this Court seeking the concession of anticipatory bail under Section 482 of BNSS.

An another aspect is, the question of falsely implicating the petitioner which also remains to be adjudicated particularly in the light of the fact that the complainant being a son of retired Haryana police officer who might have used the influence of his official position to lodge the instant FIR.

However, without advertng to the merits of the case and the veracity of the truth involved in the case, I have no hesitation in holding that it is not a case wherein custodial interrogation of the petitioner is required as the learned State counsel also could not bring before this court

any justifiable reason for which they have interrogate the petitioner by taking her into custody.

5. Decision

In view of the aforesaid discussions made hereinabove, the petitioner is directed to be released on anticipatory bail subject to her joining the investigation within a period of one week from today, on her furnishing bail/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482 (2) of BNSS, which reads as under:

- (1) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (ii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of Section 480, as if the bail were granted under that section.*

However, it is made clear that in case the aforesaid terms are not adhered to by the petitioner, the order passed by the Court granting anticipatory bail shall automatically stand cancelled.

The aforesaid petition is allowed.

(SANDEEP MOUDGIL)
JUDGE

31.7.2024
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No