

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

CRM-M No.56973 of 2022

Date of decision: 13th February, 2024

Pooja

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondent/State.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.441 dated 30.09.2022 under Sections 406, 420 IPC registered at Police Station Model Town, Panipat.

2. On 07.12.2022, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked her to join investigation.

“Learned counsel for the petitioner has submitted that the petitioner is a lady of the age of about 31 years and the allegation against her is that the brother-in-law of the complainant who gave Rs.52,00,000/- to all the accused including the present petitioner for procuring the

Government job. He submitted that the petitioner has been falsely implicated in the present case and even otherwise also on the face of it, it is a financial dispute which has been given a criminal flavour.”

3. Learned counsel for the petitioner has reiterated the submissions made on the previous date of hearing. He has argued that the petitioner has been falsely implicated in the instant case along with the other co-accused for allegedly extorting a sum of more than ₹ 52.00 lacs from the brother-in-law of the complainant on the pretext of providing a Govt. job to the complainant. He has further submitted that the false implication of the petitioner finds credence from the fact that the money had been transferred into the account of co-accused Neetu; besides this, there were no specific allegations leveled against her. It has been further submitted that in compliance of order dated 07.12.2022, the petitioner has joined investigation and cooperated with the investigating agency, and hence, the interim order be made absolute since the custodial interrogation of the petitioner would not be required and would also serve no useful purpose.

4. Per contra, learned State counsel, on instructions from ASI Chander Pal, has vehemently opposed the prayer and submissions made by the counsel opposite. He has submitted that no doubt the petitioner has joined investigation in compliance of order dated 07.12.2022 but she had been totally evasive and non-cooperative. He has further submitted that the petitioner in connivance with the co-accused had

extorted a huge amount of money from the complainant on the pretext of providing a Govt. job and had subsequently, provided the brother-in-law of the complainant with a fake and fabricated letter of appointment, purportedly issued by the Indian Railways. He has submitted that from the investigation carried out till date, it had come to the fore that the petitioner was the main beneficiary of the transaction in question as money had also been transferred into her account by the complainant party. Learned State counsel has submitted that in view of the aforementioned facts and circumstances, the custodial interrogation of the petitioner is required in order to unearth the entire chain of fraud which all the accused have committed and also to recover the equipment used by the accused including the petitioner in preparing fake appointment letter of the Indian Railways.

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

6. Prima facie, there are indeed serious and specific allegations against the petitioner and the co-accused, who in connivance with each other extorted a huge sum of money from the complainant party on the pretext of providing Govt. job, and allegedly also issued a fake and fabricated letter of appointment on behalf of the Indian Railways. This Court, thus, concurs with the prayer made by the learned State counsel that custodial interrogation of the petitioner would be imperative in view of the role played by her in the case at

hand. The petitioner, thus, does not deserve the extraordinary concession of anticipatory bail.

7. Dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 13, 2024
rps

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