

2025.PHHC:011383



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

SR. No.106

CRM-M-4540-2025

Date of decision:27.01.2025

Rekha

...Petitioner

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Rajesh Kumar Sawariya, Advocate
for the petitioner.
Mr. Rajinder Kumar Banku, DAG, Haryana.
Mr.B.S. Beniwal, Advocate for the complainant.

N.S. SHEKHAWAT, J.

1. Petitioner prays for grant of pre-arrest bail in FIR No.322 dated 12.07.2024 registered under Sections 384/389/34 IPC ad Sections 308(2), 308(6) and 3(5) of BNS at Police Station City Hisar.
2. Learned counsel for the petitioner contends that the story projected in the preset case is highly unnatural and unbelievable. He further contends that the petitioner and the complainant were residing together in live-in relationship for about five years at Ding Mandi and the complainant used to pay all the household expenses. Later on, the petitioner shifted from Ding Mandi to Sirsa and the complainant was paying all the expenses. Still further, the complainant is in the business of finance and there were certain transactions from the bank accounts of Rohit and Sandeep (both sons of the

petitioner) and Sonu (brother of the petitioner) with him. Learned counsel next submits that a civil dispute has been given the cloak of a criminal case. He further submits that from the account statement of the petitioner, it was apparent that not even a single transaction had taken place from the account of the petitioner.

3. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the submissions made by the learned counsel for the petitioner on the ground that the petitioner, her son Rohit as well as her brother Sonu had constantly pressurized the complainant to give them money and a huge money of Rs.35 lakhs was extorted from them. Learned counsel submits that the entire amount was paid from the accounts by way of RTGS and Phone Pay etc.

4. I have heard the learned counsel for the parties and perused the case file.

5. From the record, it is apparent that the present petitioner and the complainant were residing together in live-in relationship for about five years at Ding Mandi and the complainant was paying all the household expenses of the petitioner. It appears that later on, there were certain monetary transactions from the bank accounts of Rohit and Sandeep (sons of petitioner and Sonu (brother of the petitioner) with the complainant. It appears that due to certain financial transactions, there was a dispute between the parties and the custodial interrogation of the petitioner may not be required.

6. In view of the above, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions

as provided 482 (2) of BNSS, 2023. It will be open for the investigating officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and she shall abide by the conditions mentioned in Section 482(2) of BNSS.

27.01.2025
mks

(N.S. SHEKHAWAT)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO