



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

213

CRM-M-6563-2025

Date of decision: 10th March, 2025

Ramana Devi

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Simranjit Singh, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Parveen Chauhan, Advocate for respondent No.2.

MANISHA BATRA, J (ORAL):-

Through the instant petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), the petitioner seeks anticipatory bail in case FIR No. 354 dated 09.12.2022 registered under Sections 406, 420 and 120-B of IPC and Section 13 of Punjab Travel Professionals (Regulations) Act 2014 at Police Station Rama Mandi, District Jalandhar.

2. Vide order dated 04.02.2025 passed by this Court, the petitioner was released on interim bail and was directed to join investigation.

3. Learned State counsel filed status report dated 07.03.2025. The same is taken on record. It is argued by learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant that the allegations



against the petitioner are quite serious in nature. Moreover, she has not co-operated with the investigation. Therefore, it is urged that the petition does not deserve to be allowed. For effecting recovery of the money, his custodial interrogation is must.

4. The petitioner has already joined investigation on 22.02.2025. So far as the non recovery is concerned, mere non recovery of some disputed money cannot by itself be a ground for denial of bail as has also been observed by the Delhi High Court in case titled as '*Jagdish Thakkar vs. State of Delhi*', 1992 (3) CCR 2764' and in case titled as '*Pooran Singh vs. State of Delhi*', 2022(1) RCR (Criminal) 503. With regard to contention that the petitioner has not co-operated with the investigation, it may be stated that the behavior attributed to the petitioner cannot be considered as an instance of non-cooperation, justifying denial for grant of pre-arrest bail since, an accused, while joining investigation, is not expected to make self incriminating statement under the threat that the State may seek withdrawal of the interim protection granted to him. In the considered opinion of this Court, the pretrial incarceration of the petitioner is not required. The allegations that she had conspired with the co-accused in cheating the complainant is to be determined on the basis of evidence to be adduced during trial on thorough assessment of the evidence to be produced on record and not at this stage. As such, the present petition is allowed and the order dated 04.02.2025, granting interim bail to the petitioner is made absolute, subject to compliance of conditions laid down in Section 482(2) of BNSS.



5. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.
6. Since the main petition has been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

10th March, 2025
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No