



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

292

CRM-M-11777-2025

Date of decision: 19<sup>th</sup> March, 2025

Ghewari

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Rakesh Gupta, Advocate for the petitioner.  
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.  
Mr. Naveen Sharma, Advocate for the complainant.

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**MANISHA BATRA, J (ORAL):-**

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 16 dated 12.02.2024 registered under Sections 419, 420 and 120-B of IPC and Sections 66-C and 66-D of Information Technology Act, (Sections 465, 467, 468 and 471 of IPC added later on) at Police Station Model Town, District Ludhiana.

2. As per the allegations, on 07.02.2024, some person by introducing/ impersonating himself as one Parkash Rasik Lal Dhariwal, a respectable member of community to which the complainant belonged, had made a call to the complainant thereby inducing him to part with a sum of Rs. 50,00,000/- on the pretext that his money would be returned to him. The complainant was made to deliver the aforementioned amount to some person of the above said Parkash Rasik Lal Dhariwal in Railway Station, Delhi on 08.02.2024. Immediately thereafter, he realized that he had been cheated.



3. After registration of FIR, investigation proceedings had been initiated. The accused Anas Safi and Anas had been apprehended. The chain led to apprehension of co-accused Amir Ansari and Sanjiv Prajapati. Accused Sanjiv Prajapati was apprehended on 29.02.2024. He disclosed that the bag containing cash of money received from the complainant, had been taken to the house of co-accused Raju Rewri, who is son of the present petitioner, a sum of Rs. 50,000/- has been given to her and the bag containing remaining cash was handed over to the petitioner and her husband Banna Lal. On the basis of his disclosure statement, the petitioner and her husband were nominated as accused. Her husband Banna Lal was arrested and presently, he is on bail.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She is in an illiterate, old and ailing woman, who has been involved in this case only because of the fact that her son has been named as co-accused. Her husband has been extended benefit of regular bail. She is ready to join the investigation. Her custodial interrogation is not at all required. Therefore, it is urged that she deserves to be extended benefit of pre-arrest bail.

5. Status report has been filed by respondent-State. It is argued by learned Assistant Advocate General, Punjab that there are serious allegations against the petitioner, who was a part of the conspiracy hatched by the co-accused Raju Rewri, who is master mind of the crime. She too has received financial gains from the transaction. Her custodial interrogation is required to elicit information about the whereabouts of her son as well as for conducting thorough investigation in the matter. Therefore, it is urged that



she does not deserve to be given benefit of pre-arrest bail.

6. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

7. The petitioner was not named in the FIR. She has been involved in this case on the basis of disclosure statement of co-accused Sanjiv Prjapati. She is a 65 years old lady. As per the allegations, a sum of Rs. 50,000/- had been given to the petitioner apart from the bag containing cash amount of money taken from the complainant. The similar allegations were levelled against co-accused Banna Lal, has since been extended benefit of bail. It is a debatable question as to whether, she had a hand in commission of offences of cheating or forgery at all. Keeping in view the nature of the allegations as levelled against the petitioner, in my considered, pre-trial incarceration of the petitioner is not required. Non recovery of amount of money allegedly handed over to her cannot be considered to be a ground for denying the relief claimed by her. In view of the above discussion, but without meaning to make any comment on the merits of the case, lest they prejudice the trial, the petitioner makes a case for release on pre-arrest bail. Accordingly, the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to her surrender before the learned trial Court within a period of ten days from the date of passing of this order and on her surrender within that period, she shall be released on bail by the learned trial Court on furnishing bonds to its satisfaction and the following conditions:-

- (i) the petitioner shall cooperate with the investigation and shall appear before the investigating/arresting officer as and when



required.

(ii) she 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/her from disclosing such facts to the Court or to any Police Officer.

(iii) she shall not commit any similar offence while on bail.

8. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

9. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]  
JUDGE

19<sup>th</sup> March, 2025  
Parveen Sharma

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|-------------------------------|---|-----|
| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable         | : | Yes |