

2025:PHHC:054551



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

CRM-M-12497-2025 (O&M)

Reserved on : 25.04.2025

Pronounced on : 30.04.2025

Geetika Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Anil Kumar Garg, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Sarvesh Malik, Advocate
for the complainant.

MANISHA BATRA, J.

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksh Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in FIR No. 0195 dated 14.09.2022, registered under Sections 454 and 380 of IPC at Police Station Kotwali Patiala, District Patiala.

2. The adumbrated facts as emanating from the record are that the aforementioned FIR was lodged on the basis of the statement recorded by complainant Satish Kumar on the allegations that on 18.07.2022, the marriage of his son Harsh Goyal was to be performed at Barnala and his entire family including himself had gone to Barnala. Gold ornaments weighing 70 tolas and currency notes of Rs.50 and Rs. 20 denominations were kept by him in the locker of an almirah at his house. The said locker was opened in the evening of

2025:PHHC:054551



24.07.2022 only, by him and all the above mentioned ornaments and currency notes were found to be missing as the same had been stolen by some unknown person. A case under Section 380 and 454 of IPC was registered. Investigation proceedings have been initiated and are underway. On 02.01.2025, the complainant recorded his supplementary statement before the Investigating Officer that on making inquiries at his own level, he had found that gold ornaments and cash amount had been stolen by the present petitioner, who is his daughter-in-law. As such, she had been nominated as an accused in this case. Apprehending her arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Patiala. She joined the investigation in pursuance of the orders passed by the above said Court on 24.02.2025. However, no recovery could be effected from her. The bail application was dismissed on 25.02.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case only on account of the fact there is a matrimonial dispute between her husband and herself. In fact, since the very inception of her marriage, she had been subjected to harassment by her in-laws family on account of bringing insufficient dowry. She was forced to bring cash amount of money from her father to pay a loan, which was outstanding against her husband due to purchasing of a flat at Peer Muchhalla, Zirakpur. In fact, she herself was having about 45 tolas of gold ornaments and the said jewelry had been pledged by her husband for taking loan from the banks. Her husband had been indulged in gambling and used to invest money in share market. He had taken gold loan in her name in the years 2021 and 2022 and he had suffered huge losses and could not repay the loan amount. He had contacted

2025:PHHC:054551



one local jeweler and got her jewelry released from bank and sold it. She had given birth to a female child on 19.09.2022, just before five days after lodging of the present FIR by the complainant. The complainant had falsely implicated her in order to protect his son. She was living in her parental house. She is ready to join the investigation. Her custodial interrogation is not required. No recovery is to be effected from her. She has been made a scapegoat by her in-laws family. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted the benefit of anticipatory bail.

4. Status report has been filed by the respondent-State. It is argued by learned Assistant Advocate General, Punjab, who is assisted by learned counsel for the complainant, that there are serious and specific allegations against the petitioner. She had opened accounts in three banks, from where transactions of about Rs. 38 Lakhs had been done during the period from 2019 to 2024. She had mortgaged 28-30 tolas of gold at Muthoot Finance Company and 27-28 tolas of gold at Muthoot Fincorp Ltd., Panchkula, on the basis of which, transactions of the amount of Rs. 38 Lakhs and Rs. 40 Lakhs had been done. She had also taken gold loan by mortgaging gold on different dates. Her presence in the aforesaid finance companies/institutions at the time of depositing gold and going transactions has been revealed from the record of these finance companies. Even the gold ornaments, which had been mortgaged by her, have been shown in the photographs taken by the finance companies and the same suggests that the gold ornaments stolen from the house of the complainant were mortgaged. She has sold these ornaments further. Her custodial interrogation is required for conducting thorough and proper investigation in the matter and for eliciting truth. No extraordinary or

2025:PHHC:054551



exceptional circumstances for grant of anticipatory bail has been made out. It is, thus, argued that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

6. The petitioner is alleged to have stolen the gold ornaments kept in the locker of an almirah at the house of the complainant, who is her father-in-law. The petitioner herself has admitted that there is a matrimonial discord between her husband and herself. She is also shown to have availed gold loan by pledging gold ornament with two different finance companies/institutions. For the purpose of conducting a proper and thorough investigation in the matter and knowing about the source of the ornaments, which were so pledged by her, she is required to be interrogated. Even otherwise, no extraordinary or sparing circumstance has been made out in favour of the petitioner for grant of anticipatory bail. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. It is also a matter of discretion to grant or not to grant pre-arrest bail. Keeping in view the discussion as made above, I am of the considered

2025:PHHC:054551



opinion that no extraordinary or sparing circumstance entitling the petitioner to seek concession of pre-arrest bail has been made out rather her custodial interrogation is required for thorough investigation in the matter by the police. Accordingly, finding no merit, the petition is dismissed. Interim order stands vacated.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

30.04.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>