

2025:PHHC:054062



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

212

CRM-M No.17894 of 2025
Date of decision: 28.04.2025

Sapna ... Petitioner
Vs.
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amarjit Singh Virk, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

Mr. B.S. Mittal, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
21	06.02.2025	City Sunam, District Sangrur	305, 316(2), 3(5) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Sandeep Kaur Jindal alleging that

2025:PHHC:054062



he was one of the members of Oxford Educational Society, Sunam which was running a school under the name of International Oxford School at Sunam. The accused Rajinder Goyal was Chairman of this Society. He along with his wife Pooja Goyal had transferred the funds of the school into their personal accounts and despite continuous requests made by the complainant, had never been convening meetings nor giving the accounts rather the complainant was extended threats by them. While alleging that both of them had been committing fraud and cheating, he prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated. During investigation, it was revealed that the present petitioner who was previously posted as receptionist was later on appointed as Principal of the school and she in connivance with the co-accused Rajinder Goyal and Pooja Goyal had been causing financial loss to the society and the school and had been cheating them. She was nominated as accused. Apprehending her arrest, she moved an application for grant of pre arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Sangrur vide order dated 25.03.2025.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. There is inter se dispute between the members of the Society that has been running the school. Chairman of the society i.e. co-accused Rajinder Goyal was arrested on 03.03.2025

2025:PHHC:054062



and has been extended benefit of regular bail. He has deposited an amount of Rs.20,10,000/- in the account of the Society. The petitioner has no role to play in the working of the Society. She was simply performing her duties in the school in the capacity of Principal and has nothing to do with the financial aspects. No recovery is to be effected from her. She is ready to join the investigation. Her custodial interrogation is not required. Accordingly, it is urged that the petition deserves to be allowed.

5. Status report has been filed and the same is taken on record. Learned Senior Deputy Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner and keeping in view the gravity thereof, she does not deserve to be extended benefit of pre arrest bail.

6. This Court has considered the rival submissions.

7. The petitioner is admittedly posted as Principal in the School which is run by the aforementioned Society. The Chairman of this Society had been arrested and has since been extended benefit of bail. There is no specific allegation against the petitioner qua her involvement in any financial lapses/losses. Nor, it is the version of the respondent that her custodial interrogation is required. No recovery is to be effected from her. Given the nature of the allegations, the pre trial incarceration of the petitioner is not required. Accordingly, the petition is allowed and the

2025:PHHC:054062



petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

28.04.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No