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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.17713 of 2025
Date of decision: 28.04.2025

Pooja Rani Goyal ... Petitioner
Vs.
State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Ms. Sakshi Bakshi, AAG, 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

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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 i.e. the present petitioner, 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 Rajinder Goyal and the present petitioner had been committing fraud and cheating, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending her arrest, the petitioner 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.

3. 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. Her husband is Chairman of that Society. The dispute between the complainant and themselves is of civil nature which has been given a criminal colour. Her husband has already deposited an amount of Rs.20,10,000 in the account of the Society. No recovery is to be effected from her. Her custodial interrogation is not required. She is ready to join the investigation.

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Accordingly, it is urged that she deserves to be extended benefit of pre-arrest bail.

4. Status report has already been filed. Learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are specific allegations against the petitioner who is a member of the Society and is also wife of the Chairman who is co-accused. The funds of this Society were managed through different bank accounts which were in the access of the petitioner and her husband. Huge amount of money had been transferred to personal funds of the petitioner and the co-accused from these accounts. The petitioner despite being a member was receiving salary @Rs.32,000/- per month. Co-accused Rajinder Goyal (Chairman) was receiving salary @Rs.37,000/- per month though no other member was receiving any such amount nor could legally receive the same. Her custodial interrogation is required for conducting thorough investigation in the matter. Accordingly, it is urged that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused is alleged to have caused financial losses to the Society by withdrawing money from the accounts of the school and converting the same to her own use. The evidence which is to be collected in this case is documentary in nature. For the purpose of the same, the custodial interrogation of the petitioner

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is not required. The subject offences are triable by Magistrate. Given the nature of the allegations, this Court is of the opinion that the pre trial incarceration of the petitioner would not serve any purpose. Accordingly, the petition is allowed and the 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.

7. 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