

2025:PHHC:076126



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32526-2025
DECIDED ON: 16.06.2025

RUPALI MEHRA

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Fateh Saini, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No. 54, dated 07.05.2025, under Section 420 IPC, registered at Police Station Sector 9, Ambala City, District Ambala.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Sir, complainant Rajinder Chopra son of Shri Ishwar Das Chopra and Kiran Chopra wife Rajinder Chopra, Resident of House No. 29, Durga Nagar, Ambala Cantonment had given a complaint number 31-M/NGR dated 27.03.2025 in the office of Superintendent of Police, Ambala, the subject of which is as follows: To, Sir Superintendent of Police, Ambala. Subject: Complaint against (1)- Yadvindar Kumar Mehra resident of House No. 846, Near Baba Balak Nath Temple,

Kanwala, District Ambala Mobile No. 8295737304 (2)- Rupali wife of Yadvindar Kumar Mehra Mobile No. 8295737304 regarding cheating the applicant and extorting money from him and in the name of getting the plot registered, getting the money deposited in his wife's bank account, committing forgery with the applicant, abusing him, threatening to kill him. Complaint Letter: Sir, It is humbly submitted that 1. That we, Rajinder Chopra son of Shri Ishwar Das Chopra and Kiran Chopra wife of Rajinder Chopra, are permanent residents of House No. 29, Durga Nagar, Ambala Cantonment. 2. That we had taken a plot number 54 and 55 Phase-3, through a builder buyer agreement with M/s Green Circle Home, for which we had paid the price of the plots Rs. 25,00,100/- per plot to the company, after which the company had assured us that the registration of all the plots purchased in M/s Green Circle Home will be done by next year 2024. 3. That M/s Green Circle Home had appointed the above-mentioned accused number as its employee for its project in Ambala and had given him the responsibility to update the plots to the buyers of all the plots as per the company's guidelines and to get the registration done regarding the amount from 15 them. 4. That on 05-04-2024, the above-mentioned accused number 1 called me and my wife from his number on the Whatsapp app and informed us that the company has given me permission to get the plots purchased by you registered and you give me the registration money, which I am calculating on your Whatsapp, and the above-mentioned convict number 1 told us on our Whatsapp number that the total cost of registrations is Rs 1,66,656/- per registration. And said that I am sending you an account number, on which send the above amount, so that I can get your registration fixed by the company, and the above-mentioned convicts told us that you should go with me to the plots purchased by you and get me a photo taken with the location so that I can start the process of your registration, and get the property ID of the plot made. 5. That the above-mentioned convict number 1 went to the location of the plot along with us and sent the photographs to us and asked us to deposit the stamp duty money for the registry in the account sent by him and

said that till the time I will get your property ID made, and we fell into the trap of the above accused and transferred the money for the stamp duty of the registry through RTGS through the bank, total Rs. 3,33,312/- in the account given by the above accused and we sent the screenshot of the same to the above accused No. 1. 6. That after which we repeatedly asked the above accused number 1 about the registry, but the above accused number 1 never gave us any information about the registry, after which we got tired and asked the developer's company M/s Green Circle Home through email that when our registry will take place and we have also deposited the money, then on 16-08-2024 we got an email from the company in which it was told that we have not yet asked for money from anyone regarding the project of Sector-27, Phase-3 Ambala City and M/s Green Circle Home told us that we have terminated the above accused number 1 from the job due to the fraud committed by him. 7. That after which when the above accused number 1 was asked and told that you cheated us, he said do whatever you can, after which we enquired from the bank as to whose account the above accused number 1 had deposited the money in, then we came to know whose account it was, the above accused number 1 had it in the name of his wife Rupali, the above accused number 2, after which we took out her bank details, Rupali had already transferred that money. 8. That in this way the above accused have cheated us by conspiring with each other. 9. That I had given 16 application regarding the above mentioned matter in December 2024 and from time to time I asked them about the action taken regarding the above mentioned matter, but till date no action has been taken in the said matter. 10. That Sir, due to the above mentioned incident done with me by the above mentioned accused, I and my entire family are scared and in mental shock. 11. That the above accused are of a criminal nature, who have threatened me that we have good contacts in the police and politics. You cannot do anything to us. 12. That there is a complete threat to life and property of me and my entire family from the above accused and the above accused can also do some untoward incident with me

and my family in future. 13. That in future if any untoward incident happens with me or any member of my family, then the above accused will be responsible for it. Hence, it is my humble request to you to take action against the above accused and please provide protection to the life and property of me, the applicant and my family members. We would be highly grateful to you. Date: 24.03.2025 Applicant SD Rajinder Chopra, Kiran Chopra Rajinder Chopra son of Shri Ishwar Das Chopra and Kiran Chopra wife of Rajinder Chopra, resident of House Number 29, Durga Nagar, Ambala Cantonment. Mobile No. 9416070702.”

3. **Contention**

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is contended that the amount of Rs. 3,33,312/- was intended for the co-accused, Yadwinder Kumar, who is the husband of the petitioner. It is further submitted that the said amount was transferred to the petitioner's account as her husband had provided her account details to the complainant. Moreover, the petitioner's husband was employed with M/s Green Circle Home at the relevant time, wherein he was given the responsibility to convey the updates regarding the plots of the buyers and also to receive payments of stamp duty of plots.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Ms. Mayuri Lakhanpal Kalia, DAG Haryana, accepts notice on behalf of respondent/State. She prays for dismissal of the present petition stating that the recovery of Rs.3,33,312/- is yet to be effected from the petitioner, therefore, his custodial interrogation of the petitioner is required.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that the transaction in question was actually between the complainant and the co-accused Yadwinder Kumar, who happens to be the husband of the petitioner and had provided the petitioner's bank account details to the complainant, and further taking into account that the said co-accused was employed with M/s Green Circle Home at the relevant time, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Relief:-**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

16.06.2025

Meenu

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