



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-677-2025

Reserved on: 4th March, 2025

Pronounced on: 6th March, 2025

Sonia @ Arohi

...Petitioner

Versus

U.T., Chandigarh

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Amandeep Singh, Advocate for the petitioner.
Mr. Manish Bansal, P.P., U.T., Chandigarh.

MANISHA BATRA, J :-

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. 110 dated 24.05.2024 registered under Sections 420, 467, 468, 471 and 120-B of IPC at Police Station Sector 36, Chandigarh.

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was registered on the basis of complaint lodged by the complainant Swapan Chakrabarty on the allegations that on going through an advertisement made by Humble Overseas Consultant (hereinafter referred to be, 'HOC') in the facebook, for providing jobs in Canada , the respondent had sent a message on the cell number as shown in the advertisement. He had received a *Whatsapp* call from the petitioner, who while representing herself as employee of HOC, allured the complainant by assuring that her consultancy company would ensure issuance of work visa and providing a job to him in Canada. The petitioner and the co-accused Manpreet @ Abhishek, who was introduced as owner of the firm to the complainant,



made the complainant deposit different amounts of money in some bank accounts by inducing the complainant. However, he was neither sent to Canada, nor the petitioner and the co-accused returned his money despite asking. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 22.05.2024. Investigation has been concluded and she is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She is in custody since 22.05.2024. Trial is likely to take time. She has a permanent abode. There are no chances of her absconding. The offences for which she has been booked, are triable by Magistrate. Her further incarceration would not serve any useful purpose. Therefore, it is urged that she deserves to be released on bail.

4. Reply has been filed by learned Public Prosecutor, for the respondent-U.T.. It is argued by him that there are serious allegations against the petitioner, who in connivance with the co-accused introduced the complainant to part with a huge amount of money on the pretext of getting work permit/job in Canada. She had given a fake address of her office to the complainant. The investigation has revealed that she along with the co-accused had been running another office by the name of Future Success Consultancy at Mohali. Her voice samples have been sent to FSL for matching the same with the recording of the voice taken from the complainant. There are chances of her absconding, if extended benefit of bail. She has criminal antecedents as she is involved in one more case of similar nature. Therefore, it is argued that she does not deserve to be extended benefit of bail.

5. I have heard learned counsel for the parties at considerable



length and have gone through the record carefully.

6. The petitioner along with the co-accused is alleged to have cheated the complainant by inducing him to part with an amount of Rs. 61,50,500/- and is further alleged to have caused wrongful loss of that much amount to him. The investigation has completed. Trial is likely to take time. Admittedly, no transaction of money took place in her bank account. She is in custody since May, 2024. No recovery has been effected from her. In the considered opinion of this Court, no useful purpose would be served by detaining her in custody anymore. It is well settled proposition of law that bail is the rule and jail is an exception. Involvement of the petitioner in one more case is not a ground to deny benefit of bail to her. In view of the facts as enumerated above, I am of the considered opinion that the petitioner deserves to be released on bail during trial. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

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

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

[MANISHA BATRA]
JUDGE

6th March, 2025

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No