

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:172712



220

CRM-M-63990-2025 (O&M)
Date of decision:10.12.2025

Neelam Rani

...Petitioner

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. HPS Ghuman, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Ms. Himani Anand, Advocate for the complainant.

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MANISHA BATRA, J. (Oral)

Instant petition has been filed under Section 482 of the BNSS seeking grant of anticipatory bail to the petitioner in case arising out of FIR No.101, dated 19.07.2025, registered under Sections 316(2), 318(4) and 61 of the BNS, at Police Station Barara District Ambala.

2. The aforementioned FIR was registered on the basis of complaint submitted by the complainant – Mahinder Pal alleging that he was interested to send his son to U.K. He came into contact with the present petitioner, her husband Ravinder Kumar and son Abhi Bali, who assured that they would send his son abroad and induced him to part with a sum of Rs.6 lakhs on different dates on that premise. They kept on assuring him that visa would be issued in favour of his son within a short

time and even assured to get air tickets booked for U.K. in favour of his son. However, they started putting off the matter on one pretext or the other subsequently and ultimately refused to give the money of the complainant back to him or to send his son abroad. By alleging that the petitioner and co-accused in connivance with each other had duped him of his money and caused wrongful loss to him, he prayed for taking action in the matter. After registration of the FIR, investigation proceedings were initiated and the same are under way. Apprehending her arrest, the petitioner moved an application for grant of pre-arrest bail, which has been dismissed by the Court of learned Additional Sessions Judge, Ambala vide order dated 28.10.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She is a home maker and was not involved in the business of travel agency. She along with her son has been falsely implicated only with an intent to exert pressure upon her husband Ravinder Kumar and to extract money from them. Infact a settlement has already taken place between the husband of the petitioner and the complainant as per which an amount of Rs.4,50,000/- was to be given to the complainant. An amount of Rs.2,75,000/- has already been paid through Gpay receipts by her husband. No recovery is to be effected from the petitioner. No money was entrusted to her nor there was ever any inducement to the complainant on her part. She is ready to join the investigation. Her custodial interrogation is not required. With these broad submissions, it is argued that the petition deserves to be allowed.

4. Status report has been filed. Power of attorney on behalf of

the complainant has also been filed.

5. It is argued by learned State counsel assisted by learned counsel for the complainant has argued that the petitioner in conspiracy with the co-accused had induced the complainant to part with an amount of Rs.6 lakhs on the premise of sending son of the complainant abroad. Neither he was sent abroad nor, the money, passport and other documents of identity like PAN card, Aadhar Card etc. of the victim had been returned by the petitioner and co-accused. An amount of Rs.4,50,000/- was deposited in the bank account of the petitioner. For conducting thorough and proper investigation in the matter, her custodial interrogation is required. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard rival submissions made by learned counsel for the parties at a considerable length.

7. The petitioner in connivance with her husband and son, is alleged to have duped the complainant of an amount of Rs.6 lakhs on the representation that they would arrange to send son of he complainant abroad. Her husband is absconding. Co-accused Abhi Bali i.e. her son has also not been apprehended. The petitioner has claimed that some of the amount of money has been returned by her husband to the complainant in pursuance of a settlement and has also placed on record photocopies of certain Gpay receipts showing transactions between her husband and the complainant/his son. However, the remaining amount of money as extracted from the complainant has not been returned and even passport etc. of the son of the complainant are alleged to be in the custody of the

petitioner and the co-accused. There are specific and serious allegations against the petitioner. For the purpose of conducting thorough investigation in the matter and to elicit the truth regarding the allegations, custodial interrogation of the petitioner is required. It is well settled proposition of law that power for grant of pre-arrest bail are to be exercised in exceptional and extraordinary circumstances and not in a routine manner. No such circumstance is, however, made out in this case. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation.

8. In view of the above discussed facts and circumstances, this Court is not inclined to grant concession of pre-arrest bail to the petitioner.

9. Accordingly, the petition is dismissed.

10. It is, however, clarified that nothing stated above shall have any bearing on merits of the case.

11. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

10.12.2025

harjeet

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No