



**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

204

**CRM-M-37416-2024(O&M)**

**Date of Decision: 02.07.2025**

Rajni Devi

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

**Present:** Mr. Sahil Nayyar, Advocate and  
Ms. Shairon Tyagi, Advocate  
for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

Mr. Dhruv Gupta, Advocate and  
Ms. Priya Malik, Advocate  
for the complainant.

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**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 for grant of pre-arrest bail to petitioner in case FIR No. 182 dated 08.06.2024, under Sections 406, 420, 506 of the Indian Penal Code, 1860 and Section 4 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978, registered at Police Station Parao, Ambala Cantt, District Ambala.

(2) Allegations are that petitioner, who is running a Chit Fund Business, misrepresented that she had a Govt. License and misappropriated funds of the complainant.



- (3) Contends that petitioner was granted interim bail by Co-ordinate Bench on 19.02.2025 and in pursuance thereof, she has already joined investigation; hence, her custodial interrogation is not required. Further contends that an amount of Rs. 10 Lakh in terms of order dated 19.02.2025 has also been deposited with the *Illaqa* Magistrate on 28.02.2025.
- (4) The above factual position is not disputed by learned State Counsel or even by learned counsel for complainant, but they oppose the bail application on the premise that recovery of remaining amount is yet to be effected from petitioner as well as from her husband.
- (5) Heard learned counsel for the parties and perused the paper-book.
- (6) There is no dispute that interim protection was granted to the petitioner by Co-ordinate Bench on 19.02.2025 and the order reads as under:-

*“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.182 dated 8.6.2024 registered under Sections 406, 420, 506 IPC and Section 4 of Prize Chits and Money Circulation Schemes (Banning) Act, 1978 at Police Station Parao, Ambala Cantt, District Ambala.*

*Counsel appearing on behalf of the petitioner, inter alia, submits that the petitioner is falsely implicated in the present case and has not misappropriated any such amount as is detailed in the FIR and was having no intention to cheat anyone. It is further submitted that in order to show her bonafide, the petitioner is ready to deposit certain token amount and is also ready and willing to join investigation with the police.*



*Present petition is resisted by the State counsel as well as counsel appearing on behalf of the complainant, both of whom, have submitted that the amount in question as detailed in the FIR was deposited in the bank account of the present petitioner by all the victims as the present petitioner was running a committee in their locality and the entire affairs of the committee were managed by the present petitioner and her husband who has already left the country. It is further submitted that after receiving the amount of ₹ 65 lakh, the petitioner has now refused to return the same to the victims and misappropriated the said amount.*

*In light of the fact that apparently, there appears to be some money dispute between the parties, the petitioner is hereby directed to join the investigation with the police and in case of arrest, she is to be released on interim bail by the investigating officer/arresting officer to his own satisfaction till the next date fixed in this case subject to deposit of ₹ 10 lakh by the present petitioner with the Court of Illaqa Magistrate concerned within next 10 days. The petitioner is also to abide by the conditions envisaged under Section 482 (2) of BNSS. The aforesaid deposit will be subject to final disposal of the present petition.*

*Receipt with regard to the aforesaid deposit is to be produced on behalf of the petitioner on the next date of hearing.*

*At this stage, there is a request on behalf of the counsel for the private parties that the matter be referred for mediation in order to explore the possibility of amicable settlement between the parties.*

*In view of above, parties are hereby directed to appear before the Mediation & Conciliation Centre of this Court on 6.3.2025.*

*Now be listed on 25.4.2025 for awaiting the report.”*



(7) Perusal of the aforesaid order reveals that interim protection was granted subject to the condition of deposit of Rs.10 Lakh before learned *Illqa* Magistrate concerned and the said condition has duly been complied with by the petitioner.

(8) Petitioner has already joined investigation; thus in such circumstances the objection of respondents regarding alleged recovery, cannot be a ground to deny the pre-arrest bail to petitioner.

(9) Moreover, police is not to act as a recovery agent at the instance of *de facto* complainant in such like matter(s).

(10) Consequently, petition is allowed; interim order dated 19.02.2025 is made absolute subject to the conditions as envisaged under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

(11) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(12) The amount of Rs. 10 Lakh be deposited with a nationalized bank carrying maximum rate of interest in the form of FDR and same shall be subject to the final outcome of FIR No.182 dated 08.06.2024 (*supra*).

(13) The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.



**(14)** It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

**02.07.2025**  
*kavneet singh*

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

Whether speaking/reasoned	Yes
Whether reportable	No