

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

**Crl. Misc. No.M-11007 of 2015 (O&M)
Date of decision : 30.04.2015**

Manjit Kaur

.....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Suvir Kumar, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, Asst. AG, Punjab.

Mr. Sukhpreet Kaur, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking anticipatory bail in FIR No.36 dated 04.02.2015, registered under Sections 406, 420, 506 IPC, Police Station Sadar Jagraon, District Ludhiana.

Heard.

A complaint was made by Narinder Singh. Manjit Kaur petitioner is his close relative being the mother-in-law of the sister-in-law of the complainant. Manjit Kaur approached the complainant for monetary help for arranging a loan for her. The complainant arranged a loan of Rs.15 lacs from Central Bank of India. Manjit

Kaur needed some more amount for construction. The complainant obtained a loan of Rs.8.5 lacs against his FDRs and gave the amount to the petitioner. The petitioner had undertaken to repay the same on payment of Rs.12,000/- per month. The petitioner deposited few installments but stopped the payment thereafter. A complaint was made, matter was investigated and the FIR was registered.

Undisputedly, the bail application filed by the petitioner had been dismissed by Addl. Sessions Judge, Ludhiana.

The counsel for the petitioner contends that no amount was given nor there is any writing and false allegations have been made and the complainant wanted to grab the house of the petitioner and made bald allegations. The petitioner was ready to join the investigation.

The complainant was not impleaded as a party in this petition. She was ordered to be impleaded and an oral request was made which was allowed and the complainant was summoned. The bail petition has been opposed by the complainant as well as the State and it was urged that the petitioner was habitual in extracting money from different people. The counsel for the complainant refers to the statement of account of the complainant and has urged that the bank account will reveal that a loan of Rs.8.5 lacs was taken by the complainant on pledging of the FDRs and Rs.4.5 lacs was transferred in the account of the petitioner and she (accused) had transferred three installments of Rs.12,000/- in the account of complainant in different months. It was argued that these facts show the falsity of the claim being made by the petitioner. It was urged that

the complainant had extended help as the petitioner was related and therefore, no writing was executed and she has taken undue advantage of the relationship.

The petitioner has been unable to give any response as to how the money had come in her account nor she has been able to tell how a sum of Rs.12,000/- had been sent from her account to the account of the complainant. There is definitely something more to it. The allegations are serious. The protective cover of anticipatory bail cannot be allowed to the petitioner.

The petition is dismissed.

30.04.2015
sunil

(ANITA CHAUDHRY)
JUDGE