IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-12207 of 2015 (O&M)

Date of Decision: 10.07.2015.

Parveen Kumari ... Petitioner

Versus

State of Punjab ... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Meena Bansal, Advocate and
Mr. Sarabjit Singh, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

Petitioner seeks the concession of pre-arrest bail in case FIR No.7 dated 01.12.2014 under Sections 420/120-B IPC registered at Police Station NRI Bathinda, District Bathinda.

Counsel for the parties have been heard.

FIR in question was registered on the statement of Bhupinder Singh Mann with regard to embezzlement of amount of Rs.30 lacs by furnishing a false assurance to facilitate his settlement abroad. As per version of the complainant, he along with his wife and daughter was already residing in England on the basis of student visa. Since such visa was expiring, complainant got in touch with one Rama Thakur, who was also residing in England and who won over the confidence of the complainant by stating that she knew a person by the name of Vikram Lagotra and he could get the work done i.e. permanent residency in England if certain money is invested as per scheme of a company by the name of Latavia. Accordingly, a meeting is stated to have been held with Vikram Lagotra and thereafter periodic payments have been made and deposited in the account of Vikram Lagotra in India i.e. a total amount of Rs.12.5 lacs. Details of the account were also furnished by the complainant i.e. the account No.07961530006917 in Vijay Bank, Amritsar.

During the course of arguments, it has gone uncontroverted that the main accused, Vikram Lagotra, Rama Thakur and Daljeet Singh have not associated with the investigation process and are absconding.

Even though, there is no specific entrustment of funds in favour of the present petitioner, yet this Court is of the considered view that she is not entitled to the concession of pre-arrest bail. The conceded position of fact is that the present petitioner is the mother of Vikram Lagotra. It has further been conceded that the present petitioner has withdrawn such amount of Rs.12.5 lacs from the account.

On a pointed query having been put to the counsel for the petitioner as regards such funds, the stand taken is that the money has since been forwarded and given to Rohit Chawla, who is the owner and Proprietor of the Latavia Company. Even such stand does not inspire any confidence as counsel for the petitioner has not been able to furnish any proof/receipt with regard to forwarding such amount. Even though counsel would contend that the petitioner is an innocent lady being a government employee working as a Lower Division Clerk in the Punjab State Power Corporation Limited, yet it is difficult to accept that an educated lady would not be aware as regards the source of such heavy transactions having been credited in the account of her son and she thereafter having withdrawn the same. Even the version sought to be put forth by the counsel as regards a real son having remitted funds from abroad in favour of her mother out of love and affection would have to be disbelieved in the peculiar facts of the present case as inspite of time having been granted to the counsel and the matter having been adjourned, no proof has been furnished as regards Vikram Lagotra having remitted money in such large amount in favour of his mother i.e. the present petitioner on previous occasions.

In the totality of circumstances and in view of the serious charges of huge embezzlement of funds and in which the present petitioner was also a beneficiary in terms of having withdrawn the same from the account in question, concession of pre-arrest bail is being denied to her.

Petition dismissed.

Needless to observe that the interim relief granted by this Court vide order 16.04.2015 shall cease to operate.

10.07.2015 **(TEJINDER SINGH DHINDSA)**
harjeet **JUDGE**