

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

1. CRM-M No.24159 of 2015

Manjit Kaur

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M No.27256 of 2015

Amit Goel and another

... Petitioners

Versus

State of Punjab

... Respondent

Date of decision: 9th December, 2015

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Jagraj S. Khiva, Advocate and
Mr. L.M. Gulati, Advocate
for the petitioners.

Mr. J.S. Brar, Asstt. Advocate General, Punjab.

FATEH DEEP SINGH, J.

Present bail applications preferred under Section 438 Cr.P.C., one by petitioner Manjit Kaur and the other by petitioners Amit Goel and his wife Priti Goel having arisen out of the same very FIR bearing No.61 dated 17.06.2015 under Sections 420/120-B IPC registered at Police Station Hathur, District Ludhiana, are being disposed off together.

The facts which led to filing of the FIR are that Kuldeep Singh complainant resident of village Lamma, Tehsil Jagraon, District

Ludhiana made a complaint that petitioner Manjit Kaur and her husband Makhan Singh alias Davinder Singh were running astrological profession at Nangal Kalan where the complainant and Harpreet Singh also used to visit and where Makhan Singh and his wife Manjit Kaur petitioner called upon the complainant that they would facilitate his immigration to Canada and for which they had demanded money and in pursuance of which, the couple introduced them to petitioners Amit Goel and his wife Priti Goel in the month of December, 2012 and the accused fleeced ₹5.00 lacs from the complainant on 10.05.2013 and another amount of ₹7.00 lacs on 05.06.2013, and thereafter another sum totaling to ₹14.00 lacs and thereafter failed to fulfill their promise leading to registration of the present case.

On behalf of the petitioners, it is vehemently argued that the real dispute is over money lending between the parties and that in fact Sudagar Singh is driver of Kuldeep Singh, who both have connived and on the basis of false allegations have got registered an FIR and have even used force to keep in their custody two FDRs of petitioners each amounting to ₹7,50,000 and also wants to usurp house of the petitioners and has drawn attention of the Court to the promissory note so executed between the parties.

Going through the contentions of two sides, the very documents that have been taken into police possession during investigations consisting of Visa issued in the name of Kuldeep Singh and air ticket which as per the contentions of learned State counsel

were forged and the fact that the accused have also taken away passport of the complainant and failed to return money as well as this document, are matters which have their bearing, in the mind of the Court. Seriousness of the allegations and heinousness of the offences much less the provisions of Section 438 Cr.P.C. which are to be sparingly used, deter the Court to grant any relief to the petitioners.

Thus, finding no merit in both these petitions the same stand dismissed.

(FATEH DEEP SINGH)
JUDGE

December 9, 2015
rps