

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

Crl.Misc.No.M-41624 of 2014

Date of decision : 7.7.2015

Kavita

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Ms.Sukhpreet Kaur, Advocate
for the petitioner.

Mr. PJS Hundal, AAG, Punjab.

Mr. Kamal Narula, Advocate
for the complainant.

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MAHESH GROVER, J.

The petitioner prays for her release in the event of her arrest. The FIR against her would indicate that she along with her husband and other co-accused had indulged in human trafficking and on the allurements of sending the son of the complainant abroad extracted a sum of Rs.6 lakh from him.

When the matter was listed before this Court, the petitioner made a categorical statement on 15.1.2015 that her husband has paid back some amount to the complainant and within next 10 days he will pay the remaining amount as well.

Despite this no amount has been paid to the complainant.

On due consideration of the matter and noticing the fact that the allegations against the petitioner are of serious character indicating human trafficking leading to untold miseries to the victims, I am of the considered view that the equitable relief under Section 438 Cr.P.C. cannot be extended to the petitioner more particularly when there is an attempt to mislead the court by stating that her husband has paid back some amount to the complainant, which fact was found incorrect.

Dismissed.

7.7.2015

(MAHESH GROVER)
JUDGE

dss