

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

**Crl. Misc. No. M-5068 of 2015
Date of decision : 06.08.2015**

Balwinder Singh & Ors.

..... Petitioners

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. J.S. Jaidka, Advocate
for the petitioners.**

Mr. V.P.S. Sidhu, AAG Punjab.

**Mr. S.P.S. Sidhu, Advocate
for the complainant.**

ANITA CHAUDHRY, J.

The petitioners are seeking anticipatory bail in FIR No. 14 dated 15.01.2015, registered under Sections 420 read with Section 120-B IPC, Police Station City Jagraon, District Ludhiana.

The petitioners are the relatives of the wife of the complainant. The complainant was married to Charanjit Kaur. On the date of marriage, land was transferred in the name of Charanjit Kaur and there was a promise that the complainant would also be taken to Canada. The allegations are that the girl side had demanded Rs.35 lacs. On 10.11.2010 the complainant side paid Rs.10 lacs to Balwinder Singh, who counted the money and gave it to Darshan Singh. Another sum of Rs.15 lacs was given to Balwinder Singh, who gave the same to Charanjit Singh. The marriage was solemnized and was registered on 26.11.2010. The allegations further go that the accused got greedy and pressurized the complainant side to transfer some land. The complainant's father transferred land in the name of Charanjit Kaur on the day the marriage was registered, but without payment of money. Charanjit Kaur

then left for Canada, but failed to send the papers and ultimately the file was rejected. Charanjit Kaur filed an appeal but demanded Rs.5 lacs more. Later Charanjit Kaur got that appeal withdrawn. The allegations of the complainant were that the entire family had cheated him and had taken money and they had also got the land transferred.

State counsel had informed that Charanjit Kaur and her parents had been declared P.O.

Counsel for the complainant states that none of the accused had been granted interim bail as was projected on 16.02.2015.

Counsel for the petitioners states that a wrong fact could not have been urged by him and there appears to be typing error and they had asked for interim bail for the petitioners who were relatives of Charanjit Kaur.

Counsel for the complainant states that they had offered that if the land and money is returned, the matter can be settled.

Today, counsel states that the petitioners are the relatives and the girl is abroad and the matter cannot be settled.

Counsel for the complainant has referred to photographs which were taken when the cash amount was actually handed over to the accused.

The allegations are indeed grave. The girl, who had got married to the complainant left for Canada and has not returned. Her parents are also abroad and have been declared P.O. There are serious allegations against the petitioners, who are relatives and there are allegations that the money was handed over to them. Custodial interrogation is necessary. Recovery is also to be effected. No case for anticipatory bail is made out. The petition is dismissed.

August 06, 2015
Jiten

(ANITA CHAUDHRY)
JUDGE