

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

**CRM-M-5319 of 2015
Date of decision : 21.05.2015**

Ramanpreet Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. P.S.Ahluwalia, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

Mr. A.S.Sandhu, Advocate
for the complainant.

DARSHAN SINGH,J(Oral)

1. The present petition has been filed by petitioner Ramanpreet Kaur under Section 438 Cr.P.C for grant of the anticipatory bail in case FIR No. 146 dated 31.10.2014, under Sections 406, 420, 120-B of Indian Penal Code, registered at Police Station Julkan, District Patiala.

2. The brief facts of the prosecution case are that complainant Jaswinder Singh was owning 40 acres of land

and was in cultivating possession thereof. In the year 2008, he become friendly to Baljeet Singh @ Balli. He was illiterate. Baljeet Singh @ Balli, the husband of the petitioner and petitioner Ramanpreet Kaur offered to make the arrangement for sending him to Canada. However, they stated that his wife Jaspal Kaur was not beautiful. Therefore, he should divorce her and they will solemnized his second marriage. They also assured that they will purchase some land in Canada in the name of the complainant. So, there will be no difficulty for his family to migrate to Canada. In this manner, the complainant was made to sell his 50 Bighas of land on 01.11.2011. Baljit Singh deposited half of the sale consideration of 2 crore 24 lacs in his own account. The complainant also leased out his 30 acre land to Baljit Singh. On 04.06.2013, Baljit Singh, the husband of the petitioner went to Canada, when he returned he told the complainant that all arrangements have been made for his migration to Canada and under that pretext, he obtained his cheque book after getting the cheques signed. The accused in connivance with Ranjit Singh Manager withdraw the money from Axis Bank, Devigarh from the account of the complainant. He was not paid the further amount of the sale price of his land. They kept on making false promises to sent him along with his

family to Canada and thereby they committed cheating. Her application for grant of anticipatory bail has been dismissed by the learned Sessions Judge, Patiala. Hence this petition.

3. Learned counsel for the petitioner contended that the petitioner has been involved falsely in this case being the wife of the main accused i.e. Baljeet Singh @ Balli. The allegations regarding the financial transactions are only against Baljeet Singh @ Balli, the husband of the present petitioner. The allegations against the present petitioner are that she alongwith her husband allured the complainant to divorce his earlier wife as she was not pretty and allured to send the complainant alongwith his family to Canada. He contended that the other allegations regarding selling of land and misappropriation of the amount are against the husband of the petitioner. He further contended that the petitioner has already joined the investigation. No recovery is to be effected from her possession. So, she deserves the concession of the anticipatory bail.

4. The aforesaid factual position with regard to the allegations against the petitioner has not been disputed at bar by learned State counsel as well as learned counsel for the complainant. However, they contended that the petitioner was also party in playing fraud with the complainant. So, she does not deserves the concession of

the anticipatory bail.

5. I have duly considered the aforesaid contentions.

6. Learned State counsel as well as learned counsel for the complainant could not successfully repal the contentions raised by learned counsel for the petitioner that the main allegations regarding the selling of land and misappropriation of the amount are against the husband of the present petitioner. It has also not been disputed that the present petitioner has already joined the investigation. She has been sufficiently interrogated and was no longer required for any custodial interrogation. Thus, the detention of the petitioner is not called for.

7. Consequently, the order of interim bail dated 19.02.2015 is hereby made absolute subject to the conditions as provided under Section 438(2) Code of Criminal Procedure,1973.

21.05.2015

s.khan

**(DARSHAN SINGH)
JUDGE**