

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-8280 of 2015

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Date of decision:14.8.2015

Harsimran Kaur Chadha

...Petitioner

v.

State of Punjab

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. J.S. Bedi, Senior Advocate with Mr. Sompreet S. Brar,
Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab,
for the respondent-State.

Mr. Prateek Pandit, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.06 dated 3.1.2013 registered for
the offences under Sections 420 and 406 IPC and Section 24 of Immigration
Act at Police Station Fattudhinga, District Kapurthala.

I have heard learned counsel for the parties and have gone
through the record.

The present FIR has been registered on the basis of complaint
filed by Harpreet Singh against co-accused Gagan Chadha, Reema Chadha,
Gurnam Singh Chadha, Harsimran Kaur Chadha and Raman Chadha being

family members of Gagan Chadha.

As per the FIR, these accused including the present petitioner in connivance with each other committed fraud with the complainant and his brother Didar as well as two friends Balwinder Singh and Navdeep Singh for receiving ₹15 Lacs each on the pretext of sending them to Australia.

Notice of this petition was given. Ms. Simsi Dhir Malhotra, learned Deputy Advocate General, Punjab has put in appearance on behalf of respondent-State and Mr. Prateek Pandit, learned Advocate has appeared on behalf of the complainant and contested this petition.

The present petitioner is named in the FIR. As per the allegations on 14.6.2012, four passports and ₹60 Lacs have been paid for these four persons to Gagan Chadha and Reema Chadha. On 31.7.2012, an amount of about ₹15 Lacs were again paid to Gurnam Singh, Harsimran Kaur Chadha and Raman Chadha alias Gaurav as they came to Village Adnawali and took money from their family members. As per the allegations on 16.8.2012, ₹20 Lacs were paid to Harsimran Kaur Chadha and 15000 dollars were paid in Thailand.

Keeping in view the nature and gravity of the offences and the fact that the present petitioner is named in the FIR and specific allegations are also attributed that large amount of money was also handed over to the accused including the present petitioner and further the FIRs are stated to be already registered against the present petitioner and four co-accused Gagan Chadha etc. The present petitioner is required for custodial interrogation as

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the money is still to be recovered. Otherwise also, keeping in view the nature and gravity of the offences, I do not find it a fit case where the present petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in this petition, the same is dismissed.

August 14, 2015.

(Inderjit Singh)
Judge

hsp