

Sr. No. 236

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-11572 of 2016 (O&M)
Date of Decision: 11.04.2016

Savira Kaur alias Sarabjit Kaur

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. R.S.Bajaj, Advocate,
for the petitioner.

Mr. K.D.Sachdeva, Additional A.G.Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.190 dated 11.12.2015, under Sections 406/420 of Indian Penal Code and Section 24 of the Immigration Act, registered at Police Station Division No.7, Jalandhar, District Jalandhar.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Suman Lata wife of Harjinder Singh.

Allegations are primarily targetted against one Gagandeep Singh Mann who was running a firm under the name and style of M/s Royal Education Consultants, Green Park, Jalandhar. Accusations are of having misappropriated a sum of Rs.4,20,000/- from the complainant on the pretext of getting her work permit to settle in Australia. Complainant apart from Gagandeep Singh Mann

also named a number of associates working in Royal Education Consultants including the present petitioner.

Petitioner was arrested on 17.12.2015.

Even though challan in the present case was presented on 08.02.2016 and in which the present petitioner has been nominated as an accused but it has gone uncontroverted that an inquiry was entrusted to the Additional Deputy Commissioner Police-2, Jalandhar and in which a report dated 15.03.2016 at Annexure P-3 had been furnished in which findings have been recorded that the present petitioner worked only for a total period of 27 days i.e. from 02.11.2015 to 28.11.2015 under Gagandeep Singh Mann and that the petitioner had never served as a travel agent.

Learned State counsel has very fairly read out in Court today even statement of the complainant recorded under Section 161 Cr.P.C. and which would demonstrate that a sum of Rs.8,40,000/- in all had been entrusted to main accused Gagandeep Singh Mann (partly by cash and partly by cheque) and out of which a sum of Rs.4,20,000/- has been returned by Gagandeep Singh Mann through cheque. In such statement of the complainant, there is no entrustment of money to the present petitioner.

Court has been informed that the charges are yet to be framed.

The trial as such would take time to conclude.

In view of the circumstances noticed hereinabove, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject

to satisfaction of the Chief Judicial Magistrate/Duty Magistrate,
Jalandhar.

Disposed of.

11.04.2016

vandana

(TEJINDER SINGH DHINDSA)
JUDGE