

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

(1) CRM No.M-11897 of 2016
Date of decision: 08.07.2016

Gurvinder Kaur and another

...Petitioners

Versus

State of Haryana

...Respondent

(2) CRM No.M-12535 of 2016
Date of decision: 08.07.2016

Jaspal Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.P. Singh, Advocate for
Mr. Sanjay Verma, Advocate for the petitioners.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. G.C. Shahpuri, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

The aforementioned two petitions are being decided by way of common order, as the same have been arising out of the common FIR.

By filing the present petition(s) under Section 438 of the Code of Criminal Procedure, the petitioners have sought pre-arrest

bail in case FIR No.43, dated 03.02.2016, registered under Sections 420, 406 and 506 IPC, at Police Station Farakpur, District Yamuna Nagar.

It is contended that the petitioners have been falsely implicated in the present case. No cheating or fraud has been committed by the petitioners with the complainant. The petitioners are have been falsely roped being relatives of main accused Harmandeep Singh. He further contends that neither the petitioners visited the house nor any amount had been received by them from the complainant.

On the other hand, the learned State counsel as well as learned counsel for the complainant oppose the bail application and state that there are direct allegations against the petitioners in the FIR and they in conspiracy with other co-accused had duped huge amount on false pretext of sending Australia to the complainant.

Heard.

As per the FIR, on 13.09.2015, the petitioners along with their co-accused came to the house of complainant on car bearing No. CH04-A-0076 and received Rs.5 lacs in cash from him in the present of Narjit Singh, Brijpal and father of the complainant. Thereafter, the petitioner in conspiracy with their co-accused duped huge amount on one pretext or the other to get the work permit visa for Australia for the complainant. However, instead of providing

work permit visa for Australia, the complainant was taken to Malaysia. The entire amount allegedly received by the petitioners is yet to be recovered. Therefore, keeping in view the allegations and the fraud committed, no ground for pre-arrest bail is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

08.07.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE