

CRM NO. M-18140 OF 2015 (O&M)

[1]

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.234

CRM NO. M-18140 OF 2015 (O&M)
DECIDED ON: May 17, 2016

BEANT SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. B.S. Bairagi, Advocate,
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

Mr. NPS Mann, Advocate,
for respondent No.6.

JASPAL SINGH, J

Instant petition has been preferred under Section 482 Cr.P.C.
by Beant Singh seeking issuance of direction to respondents No. 1 to 3 to
register a criminal case/FIR under Sections 420 & 120-B of IPC against
respondents No.4 to 7 for dishonestly inducing petitioner for handing over
Rs.20 lacs in pretext of providing Canadian immigration to his son.

In pursuant to notice of motion, reply has been filed by learned

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State counsel in the shape of affidavit of Kanwalpal Singh, PPS, Deputy Superintendent of Police (NRI), Moga, District Moga.

The preliminary submission made in para 3 of the reply submitted by learned State counsel on behalf of respondents No.1 to 3 is relevant for the disposal of instant petition, which reads as under:

“That during enquiry it transpired that petitioner had approached the opposite party to send his son Gurbhej Singh to Canada permanently and it was decided between them that marriage of Swaranjit Kaur be solemnized with Gurbhej Singh and after marriage she will call the son of petitioner abroad and petitioner will pay Rs.35 lacs to them out of which Rs.20 lac were to be paid at the time of marriage and remaining amount will be paid after reaching Canada. Said marriage was only paper marriage. Petitioner had paid Rs.20 lacs to mother of Swaranjit Kaur namely Harpal Kaur before marriage. After marriage Swaranjit Kaur had applied visa for Gurbhej Singh, but same was rejected by the Embassy by raising objection that Swaranjit Kaur is 9 years elder from Gurbhej Singh and divorce of Swaranjit Kaur has effected with her husband only 1 month prior to this marriage and answers of question put by embassy to Swaranjit Kaur and Gurbhej Singh were not matching. In her statement Swaranjit Kaur had categorically stated that she is still ready to reside in her matrimonial house. It also transpired that after marriage whenever Swaranjit Kaur came to India Gurbhej Singh used to take her from Airport and she used to reside in her matrimonial house. It was further transpired that as visa of Gurbhej Singh was rejected by Embassy and dispute was arisen between them due to which petitioner had filed said application

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before respondent No.3. After conclusion of enquiry the application of petitioner was consigned in to record room.”

A perusal of the aforesaid paragraph transpires that the matter has already been investigated thoroughly but the allegations could not be substantiated. As a result whereof, complaint has been consigned to the record room.

In view of the reply submitted by learned State counsel, instant petition has rendered infructuous and is disposed of as such.

However, petitioner shall be at liberty to have recourse to the other remedies available to him under law.

May 17, 2016

Ankur

(JASPAL SINGH)
JUDGE