

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(I)

CRM-M-30303-2016

Date of decision:20.10.2016

Sanjana Rani

...Petitioner

Versus

State of Punjab

...Respondent

(II)

CRM-M-32075-2016

Amritshameer Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

Present: Ms. Jigyasa Tanwar, Advocate,
for the petitioner (in both the cases).

Mr. Jashanpreet Singh, AAG, Punjab.

Mr. Jaswinder Singh, Advocate,
for the complainant (in both the cases).

M.M.S. BEDI, J (Oral)

This order will dispose of two petitions for grant of anticipatory bail, one, CRM-M-30303-2016 filed by Sanjana Rani, and the other, CRM-M-32075-2016 filed by Amritshameer Singh, as they both arise out of the same FIR No. 204 dated 29.07.2016, registered

under Sections 406, 420 and 120-B I.P.C. at Police Station City Khanna, Ludhiana. The said FIR was registered at the instance of the complainant, namely Gurpreet Kaur, alleging that the petitioners have connived with each other and duped the complainant of Rs. 8,77,000/- on the pretext of sending her and her minor son to Canada on permanent visa. The petitioners have allegedly taken all the educational certificates of the complainant, but failed to send her abroad. The amount was also not returned by the petitioners to the complainant.

Learned counsel for the petitioners has submitted that as far as Sanjana Rani, the petitioner in CRM-M-30303-2016, is concerned, she is alleged to have introduced the complainant to Amritshameer Singh, the petitioner in CRM-M-32075-2016. She further submitted that no doubt, a sum of Rs. 1,00,000/- had been deposited in the account of Amritshameer Singh.

A perusal of the police file indicates that the petitioners have been involved in the case on the basis of an enquiry conducted. The role attributed to both the petitioners has been carefully considered by me, in context to the material, which has been presented till date.

So far as the petitioner, namely Sanjana Rani, is concerned, she being a female, having joined the investigation and having introduced the complainant to Amritshameer Singh, can be granted the concession of bail as there does not appear to be necessity of her custodial interrogation.

In view of the above, the petition (CRM-M-30303-2016) filed by Sanjana Rani is allowed. It is ordered that in case of arrest of the

petitioner, she shall be released on bail to the satisfaction of the arresting officer subject to the conditions that she will join the investigation as and when required by the police and will not tamper with the evidence or hamper the investigation in any manner.

The petitioner namely, Amritshameer Singh, cannot be granted the concession of pre-arrest bail as his custodial interrogation appears to be necessary. The allegation against him is that the amount submitted by the complainant was deposited in his account on different dates and he was working as an immigration agent.

In view of the above, the petition (CRM-M-32075-2016) filed by Amritshameer Singh is dismissed without prejudice to his right to approach this Court again, in case the matter is compromised between the parties.

Nothing said in this order will prejudice the right of the complainant to seek recovery of the amount in accordance with law.

October 20, 2016
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(M.M.S. BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No