

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

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**CRM-M-12281 of 2017 (O&M)
Date of Decision: May 26, 2017**

Manpreet Kaur

....Petitioner

vs.

State of Punjab

....Respondent

2.CRM-M-16534 of 2017 (O&M)

Gurpreet Singh

....Petitioner

vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. S.K. Chaudhary, Advocate
for the petitioner(s).

Mr. Varun Sharma, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall decide **CRM-M-12281 of 2017**
(Manpreet Kaur vs. State of Punjab) and **CRM-M-16534 of 2017**
(Gurpreet Singh vs. State of Punjab) as both these petitions have
been filed under Section 438 Cr.P.C. seeking concession of
anticipatory bail to the petitioners in FIR No.18 dated 17.03.2017,
under Sections 120-B & 420 of Indian Penal Code, registered at
Police Station Badhni Kalan, District Moga.

Briefly it may be noticed that the FIR came to be lodged

on the complaint of one Sushil Kumar. Allegations are that the petitioners herein who are husband and wife had assured the complainant that they would send his daughter Amandeep Kaur abroad. On such assurance and inducement, an amount of ₹6,60,000/- was given by way of three cheques i.e. cheque No.791789 dated 29.09.2015, cheque No.791790 dated 04.09.2015 and cheque No.791793 dated 09.09.2015 respectively. An additional sum of ₹1,90,000/- is also alleged to have been given on 05.10.2015 in the presence of one Jagtar Singh. As such a total amount of ₹8,50,000/- is stated to have been paid to both the petitioner(s). Further allegations are that after a period of 20-25 days, a fake visa and a fake offer letter were given to the complainant. Neither has the daughter of the complainant been sent abroad nor has the money been returned.

On 10.04.2017, CRM-M-12281 of 2017, seeking concession of anticipatory bail to Mandeep Kaur came up for preliminary hearing before a Co-ordinate Bench of this Court. On such date, contention was raised by counsel to the effect that the allegations are totally false and unfounded and that no amount as alleged has been paid either to the petitioner (Manpreet Kaur) or to her husband Gurpreet Singh. By noticing such categorical stand and submission, *ad interim* protection was granted to Manpreet Kaur i.e. petitioner in CRM-M-12281 of 2017, subject to her joining investigation.

During the course of resumed hearing, it transpires that part of the sum paid by the complainant has been deposited in

Account No.912010009987525 in Axis Bank, Branch Moga. On 10.05.2017, counsel had been directed to complete instructions as to whether the afore noticed account was in the name of Gurpreet Singh i.e. petitioner in CRM-M-16534 of 2017. On 11.05.2017, counsel for the petitioner(s) conceded to the fact that such account was indeed in the name of Gurpreet Singh.

Confronted with such a situation on the last date of hearing i.e. 16.05.2017, counsel raised a submission that talks of compromise are under way. He sought a week's adjournment to enable the petitioner(s) to conclude the settlement process. Still further, an undertaking was furnished that if, by the adjourned date i.e. today, a settlement is not arrived at, main accused Gurpreet Singh i.e. petitioner in CRM-M-16534 of 2017 would duly surrender.

Mr. S.K. Choudhary, learned counsel representing the petitioner(s) in these two connected petitions would now report no instructions. It stand conceded that no settlement has been arrived at. Counsel submits that whereabouts of Gurpreet Singh i.e. petitioner in CRM-M-16534 of 2017 are not known and no contact has been established.

The narration of facts and circumstances reflects adversely on the conduct of the petitioner(s). Rather such conduct lends credence to the version of the complainant.

This Court would be constrained to observe that even Manpreet Kaur i.e. petitioner in CRM-M-12281 of 2017 had procured interim protection from this Court on 10.04.2017 by way of misleading and taking a false stand. At that point of time, it had

been contended that no amount had been received either by her or by her husband namely Gurpreet Singh. Factually the case is otherwise. Part of the amount has been deposited by the complainant in Account No.912010009987525 in Axis Bank, Branch Moga i.e. account of Gurpreet Singh.

For the reasons recorded above, the prayer made in both these petitions, is declined.

Petitions are dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

26.05.2017
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***Whether speaking/reasoned* : Yes/No**
***Whether reportable* : Yes/No**