

208

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

CRM-M No.18690 of 2017
Date of Decision: 01.06.2017

ISHPAL KAUR

.....PETITIONER

Vs

STATE OF PUNJAB

.....RESPONDENT

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Amit Rana, Advocate
for the petitioner.

Mr. P.S. Ghuman, Additional A.G., Punjab.

Mr. Aman Mathur, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

As per allegations in the FIR, Rs.33 lacs was allegedly taken by the husband of the petitioner on the pretext of sending the complainant, his wife and three children abroad.

Complainant alleged that the husband of the petitioner took passports of the complainant, his wife and three children in the year 2014. Thereafter, on 31.03.2015 files of visas were prepared and the same were submitted in the Embassy by the husband of the petitioner and he himself paid

the visa fee on 01.04.2015. On 07.05.2015, husband of the petitioner sent photographs of visas on Whatsapp of the complainant from Delhi.

On 26.05.2015, petitioner and her husband Navjot Singh visited the house of the complainant and made a joint demand of money. They were paid an amount of Rs.5 lacs in the presence of witnesses namely Harwinder Singh son of Pal Singh, Jatinder Singh, Harwinder Singh son of Swarn Singh.

Learned counsel for the petitioner submitted that there is no specific entrustment to the petitioner. The second part of story is relatable to payment of Rs.28 lacs to Sarvesh Saini and Sachin Saini in Delhi. As per CCTV coverage, neither the petitioner nor his husband is shown in the CCTV coverage. The only incriminating allegation is of payment to the petitioner and her husband on 26.05.2015 which would be debatable.

Learned State counsel on instructions from ASI Nishan Singh submitted that certificate produced by the petitioner in order to seek *alibi* has been found to be forged.

Be that as it may, let the petitioner join the investigation on 07.06.2017. In the event of her appearance before the Investigating Officer, she shall be enlarged on bail subject to the satisfaction of the Arresting Officer. However, the

petitioner shall abide by the conditions as envisaged under
Section 438(2) Cr.P.C.

Disposed of.

June 01, 2017

kyoti Y.

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No