

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

**CRM-M-19609-2017 (O&M)
Date of decision :02.08.2017**

Satvir Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr. Manish Prabhaker, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

H.S. MADAAN, J. (Oral)

This petition for pre-arrest bail has been filed by petitioner-Satvir Kaur an accused in FIR No.2 dated 05.01.2017 for offences under Sections 406, 420, 467, 468, 471, 506 and 120-B IPC registered with Police Station Nangal.

Briefly stated the facts of the case as per prosecution story are that Gurwinder Singh, husband of petitioner-Satvir Kaur, has been residing in United Kingdom and she (petitioner) promised to send complainant-Rajnish Kumar to United Kingdom and arrange job for him on his paying a

sum of ₹7 lacs to her. Complainant-Rajnish Kumar had paid a sum of ₹4.50 lacs to the petitioner as he deposited a sum of ₹49,000/- in her (petitioner) account, besides depositing ₹50,000/- in the account of one Harjinder Singh at the asking of the petitioner and at the time of above two transactions a sum of ₹3,51,000/- was given in cash by the complainant to the petitioner. However, she did not fulfil her such promise, therefore, the complainant reported the matter to the police and formal FIR was registered against her (petitioner).

Feeling apprehensive of being arrested in the case, she had approached the Court of learned Sessions Judge, Ropar with a prayer for grant of pre-arrest bail, but her request was declined by learned Sessions Judge, Ropar vide order dated 05.04.2017, as such, she knocked at the door of this Court with a similar request by way of filing the instant petition.

Notice of the petition was given to the State. State has appeared through Ms. Jaspreet Kaur, Assistant Advocate General and she has opposed the petition.

I have heard learned counsel for the parties, besides going through the record and I find that there is no merit in the petition. The allegations against the petitioner are very grave and serious of fleecing an innocent person of substantial amount of ₹4,50,000/- giving him allurements of sending him abroad and then finding a job for him. In this region, especially in the State of Punjab, unscrupulous elements are taking full advantage of desires of the people to migrate abroad in search of greener pastures. However, in many cases people are being cheated of their hard

earned money and many are left in lurch in foreign lands to fend for themselves and several persons have lost their lives also. Such elements need to be dealt with sternly, so that a check can be put on activities of such persons posing as travel agents.

Although learned counsel for the petitioner has contended that Rajnish Kumar-complainant had maintained physical relations with the petitioner by giving her false assurance of marriage and committed rape upon her and a representation in that regard was given by the petitioner to the Director General of Police, Punjab, Chandigarh on 28.10.2016, copy of such representation having been placed on the file.

Learned State counsel has stated that her such representation was looked into by the police and Superintendent of Police (Investigation), District Ropar vide his report dated 12.07.2016 has come to the conclusion that there was no force in such allegations and was rather a pressure tactic, so that the complainant did not ask for return of his money or his migration abroad.

Even otherwise, it is highly unlikely that the petitioner being a married woman would be taken in by such advances of the complainant on the pretext of marrying her and would allow him to have physical relations in such a manner. Therefore, learned State counsel has further contended that though in terms of order granting interim bail to the petitioner, she had joined investigation, but she did not get recover the amount of money paid to her by the complainant and has not cooperated properly during the investigation.

I find that custodial interrogation of the petitioner is necessary for complete and effective investigation and if custodial interrogation is denied to the investigating agency that shall leave many loose ends and loopholes, adversely affecting investigation which is uncalled for. Thus finding no merit in the petition, the same stands dismissed.

02.08.2017
Gaurav Sorot

(H.S. MADAAN)
JUDGE

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**