

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

CRM No.M-6510 of 2017 (O&M)

Date of Decision: 28.02.2017

Rinku

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Satpreet Grewal, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.155, dated 26.08.2016, under Sections 406/420 IPC and Section 24 of the Immigration Act, registered at Police Station Mukerian, District Hoshiarpur.

FIR came to be registered on the complaint of Baljit Kaur. The specific allegations against the present petitioner are that he in the capacity of a travel agent along with another co-accused has duped and misappropriated an amount of Rs.21 lacs approximately on the pretext of sending husband of the complainant to America.

There is a specific assertion made by the complainant that Bawa Singh i.e. father of the complainant had got transferred an amount of Rs.5.50 lacs from his bank account held in Punjab Gramin Bank to the account of the present petitioner. Such factual aspect is not even disputed by counsel appearing for the petitioner.

Counsel would, however, submit that the petitioner is entitled to interim protection on the ground of parity as co-accused Ram Kumar

Sharma @ Rocky has been granted concession of anticipatory bail by the Court below.

Even such submission does not find favour with this Court. Even though, there are allegations of entrustment of cash amount to both the accused i.e. Rinku (present petitioner) as also Ram Kumar Sharma @ Rocky, yet the transfer of Rs.5.50 lacs to the account of the present petitioner is not in dispute. That apart, perusal of the FIR would reveal that the present petitioner has been described as a travel agent and who was known to the parental family of the complainant. Further allegations are that the huge amount of money having been misappropriated, the complainant had repeatedly insisted upon the present petitioner for return of the money and who thereupon in a very clever and shrewd manner and to save his own skin, took the complainant in confidence and got a complaint typed against co-accused Ram Kumar Sharma @ Rocky and got the same signed from the complainant fraudulently.

Against the backdrop of specific allegations as regards the present petitioner having played fraud with the complainant and her husband while acting as a travel agent, this Court is not inclined to extend in favour of the petitioner, the concession of anticipatory bail.

Petition is dismissed.

28.02.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | Yes |