

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-28751-2018 (O&M)

Date of Decision: 12.10.2018

Kanta Rani and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. L.S. Mann, Advocate for
Mr. Vaibhav Sehgal, Advocate,
for the petitioners.

Mr. Surinder Pal Singh Tinna, Addl. A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory/pre-arrest bail to the petitioners in FIR No.129 dated 24.05.2018 under Sections 406, 120-B IPC, registered at Police Station Jamalpur, District Ludhiana.

As per FIR, the allegations against the petitioners are that after the death of her husband-Rashpal Singh, petitioner-Kanta Rani along with her son Sajjan Singh and grand-daughter Parul jointly started a chit fund scheme, wherein money was received from each member with the assurance that he/she will be returned an increased/multiplied amount. Though no writing in this regard was executed and all locality residents had paid money to the petitioner as they had faith in her. The money so collected by way of

chit fund scheme was used to advance money to people on interest and in lieu thereof, the petitioner took signatures on cheques and stamp papers. From the money so collected, the petitioner sent her grandson abroad and now intends to send her grand-daughter Parul abroad. No money was received back by the members of the chit fund scheme committee for the last about three years and when one of the victims started demanding his money back from the petitioner, they extended threats that they would be involved in false cases.

Learned State Counsel has argued that the petitioners have collected huge amount of money from innocent people to the extent of about Rs.60 lacs and as many as 38 peoples have come forward to protest by making a complaint against the petitioners. He has also drawn the attention of this Court towards the details of conversation recorded between the petitioners and Amarjit Singh, one of the victims.

Learned counsel for the petitioners has argued that the petitioners have wrongly been implicated in this case. No money was paid to the petitioners. In fact, husband of petitioner No.1 along with Sheela was running some kitty groups. After the death of her husband, Sheela used to run the kitty business, who also expired on 11.10.2017 and whatever money has been given, it has been given to Sheela.

I have heard learned counsel for the parties.

Considering the fact that the allegations against the petitioners are serious in nature, huge amount to the extent of Rs.60 lacs has been collected by them. As many as 38 people have come forward to lodge their protest against the petitioners. Therefore, argument of learned counsel for the petitioners that they have been falsely implicated in this case,

cannot be accepted at this stage. No ground to grant pre-arrest bail is made out.

Dismissed.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case.

October 12, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No