

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39528 of 2018
Date of Decision: 18.09.2018

Simarjeet Kaur

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Satbir Gill, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner in a case arising from FIR No.102 dated 19.05.2018 under Sections 420/467/468/471/506/34 IPC, registered at Police Station Kalanwali, District Sirsa.

According to the prosecution, giving a false assurance for good return, the petitioner cheated the complainant for Rs.2,74,200/- in the year 2014 by getting deposited the said amount with her companies, namely, Jenial Hi-Tech Agro India Ltd. and M/s Jet Jenial Dairy Farm Pvt. Ltd., run by her and her husband and thereafter, closed her said companies in the year 2015-2016.

Learned counsel for the petitioner *inter alia* contends that the complainant deposited the amount with the petitioner's companies in fixed deposit receipt, which would mature in the year 2020. Therefore, it is premature for the complainant to lodge FIR against the petitioner simply on the basis that they have closed their office at Kalanwali. That apart, the complainant never approached the petitioner to refund the money, which he had deposited with the petitioner's company.

On specific query of the court to learned counsel for the petitioner

as to whether the petitioner or her husband is ready to return the amount,

which they have taken from the complainant, he has replied that they would be able to return the amount on maturity in the year 2020, which fact in itself shows that the petitioner and her husband are fraudulent persons having no intention to repay the amount to the complainant.

Considering overall facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, inasmuch as by opening such type of fictitious companies/firms, innocent general public is being cheated by persons like the petitioner.

Dismissed.

18.09.2018

monika

Whether speaking/reasoned

Whether Reportable

(RAMENDRA JAIN)**JUDGE**

Yes/No

Yes/No