

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

CRM-M-43166-2017 (O&M)

Date of decision: January 25, 2018

Kulwant Kaur and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sarju Puri, Advocate for the petitioners.

Mr. A.A. Pathak, Addl. Advocate General, Punjab.

Mr. P.S. Ahluwalia, Advocate for the complainant.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioners under Sections 420/120-B IPC at Police Station Sadar, Nawanshahr, District SBS Nagar, vide FIR No.122 dated 5.10.2017.

Learned counsel for the petitioners submits that petitioners have nothing to do with the alleged offence and they have been implicated falsely in the present case. According to him, petitioners have wrongly been arraigned as accused in the case.

Prayer has been opposed by learned State counsel as well as counsel for the complainant. According to them, petitioners have committed a fraud with the complainant by extracting Rs.3,50,000/- from her on the pretext of deleting name of her son from the case bearing FIR

No.68 dated 2.7.2009. Thus, they are not entitled to concession of pre-arrest bail.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was got registered by Surjit Kaur complainant on the ground that petitioners, who are related to her, had taken an amount of Rs.3,50,000/- from her on the ground that they would get name of her son deleted from the case bearing FIR No.68 dated 02.07.2009, registered in Police Station Sadar, Nawanshahr. When complainant demanded her money back, they did not give any satisfactory reply.

Keeping in view the allegations against the petitioners, I am of the considered view that they are not entitled to concession of pre-arrest bail. Petitioners have defrauded the complainant of Rs.3,50,000/-. Custodial interrogation of the petitioners may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

January 25, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No