

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

CRM-M-50765 of 2018.

Decided on:- December 18, 2018.

Harpreet Kaur.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

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

Present:- Mr. Krishan Singh Dadwal, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Ms. Satpreet Grewal Kapila, Advocate
for the complainant.

HARI PAL VERMA, J.

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in FIR No.47 dated 15.09.2018 under Section 420 I.P.C. registered at Police Station Gardhiwal, District Hoshiarpur.

On 19.11.2018, this Court had passed the following order:

“Learned counsel for the petitioner states that since the complainant had some illicit relation with her own cousin Amrik Singh and this fact was known to the other staff members, the complainant has perceived as if the relation has been made known by her and in order to settle score, she has made false allegation that the petitioner has taken money from the complainant so as to send Gurpal Singh and Amrik Singh abroad.

Notice of motion for 18.12.2018.

Till the next date of hearing, arrest of the petitioner is stayed.”

Learned counsel for the petitioner has argued that the petitioner is working as Vice Principal at Saint Andru School, Garhdiwala. In that school, complainant Pardeep Kaur is working as a teacher. The complainant had relations with her maternal brother Amrik Singh. Since the petitioner had told this fact to the other staff members, it annoyed the complainant, who wanted to take revenge from the petitioner. On 15.03.2018, the complainant had called the husband of the petitioner on mobile and warned that the petitioner would be taught a lesson for insulting her in presence of the staff regarding disclosure of her affair with her maternal brother Amrik Singh. Even the cheque book of the petitioner was also stolen by the complainant. When the petitioner had learnt about all this, she also started receiving telephone calls by saying that she has received money for the purpose of sending Gurpal Singh and Amrik Singh abroad. Amrik Singh who is maternal brother of the complainant had also levelled allegations that the petitioner had taken Rs.2,40,000/-. All these allegations were false and have been made for the purpose of taking revenge.

On the other hand, learned counsel for the complainant has pointed out that there are number of complaints against the petitioner. She has taken amount from various persons on the pretext of sending them abroad. The present FIR has been registered against the petitioner after due enquiry. She has also produced photocopies of three cheques of Rs.2 lakh each issued by the petitioner in favour of Amrik Singh, Gurpal Singh and Sukhdeep Kaur.

She has also produced the photocopy of a cheque of Rs.3 lakh issued by Pankaj Sharma husband of the petitioner in favour of Jarnail Singh. The copies of these cheques are taken on record. The power of attorney filed on behalf of the complainant in Court today, is also taken on record.

Having heard learned counsel for the parties, this Court finds that the allegations levelled against the petitioner are serious in nature as she along with her husband had taken money from various people including Gurpal Singh brother of the complainant and Amrik Singh cousin of the complainant on the pretext of sending them abroad for which she and her husband had also issued different cheques, which is sufficient to prima facie form an opinion that the petitioner had defrauded the victims for sending them abroad. Therefore, this Court finds that no ground for grant of anticipatory bail to the petitioner is made out.

Accordingly, the present petition, being devoid of any merit, is dismissed.

The observations made hereinabove shall not construe an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

December 18, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No