

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70103 of 2018**

Arising Out of PS. Case No.-2967 Year-2012 Thana- PATNA COMPLAINT CASE District-  
Patna

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Gulshan Wadhera @ Gulshan Wadera Wife of Praveen Kumar Wadera,  
Resident of Block No.1, House No.53, P.S.P.O.- Lajpat Nagar-2, New Delhi-  
24, At present House No.566/A, N.H.P.C. Colony, Faridabad Sector-45, P.S.-  
Surajkund Road, District- Faridabad Haryana.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Jaspreet Singh, S/o Late Jasbir Singh, R/o Flat No.202, 3rd Floor, Gauri Shankar Complex, Lohiyanagar, Kankarbagh, P.S.- Kankarbagh, District- Patna, Bihar.

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Krishna Prasad Singh, Sr. Advocate.<br>Mr. Manindra Kishore Singh, Advocate. |
| For the State        | : | Mr. Satya Nand Shukla, APP                                                       |
| For the Complainant  | : | Mr. Kamal Kant Singh, Advocte.                                                   |

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

4      13-03-2019                      Heard learned counsel for the petitioner, learned  
counsel for the complainant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection  
with Complaint Case No. 2967(C) of 2012, registered under  
Section 406 of the Indian Penal Code and Section 138 of the  
N.I. Act.

The accusation is that Gulsan Wadhera and her  
husband, Praveen Kumar Wadhera were known to the  
complainant, Jaspreet Singh. The complainant, Jaspreet Singh  
wanted to purchase a flat/house at Delhi. When the petitioner



and her husband came to know the said facts then they contacted to the complainant, Jaspreet Singh, and gave proposal to sell the ground floor of their house situated at Plot No. I-II/53, Lajpat Nagar, New Delhi. Thereafter, in the month of November, 2011, petitioner and her husband came at the resident of complainant, Jaspreet Singh at Patna and talked to sell ground floor of their house situated at Lajpat Nagar, New Delhi, on consideration amount of Rs.75,00,000/-. Thereafter, the complainant, Jaspreet Singh demanded the original paper of house then petitioner and her husband handed over to original paper of the house to complainant. Thereafter, till January, 2012, complainant, Jaspreet Singh, paid Rs.50,00,000/- to the petitioner and her husband and requested to execute the sale deed saying that the remaining amount of Rs.25,00,000/- will be paid at the time of execution of sale deed. In the month of February, 2012, when complainant, Jaspreet Singh, asked the petitioner and her husband to execute the sale deed then petitioner and her husband demanded total amount of Rs.1,00,00,000/- instead of Rs.75,00,000/-. Then complainant, Jaspreet Singh asked the petitioner and her husband to return the aforesaid amount of Rs.50,00,000/-, which was given as advance but the petitioner and her husband started to prolong



the matter on false pretext and thereafter, petitioner and her husband came at the resident of complainant, Jaspreet Singh at Patna and gave a cheque dated 28.03.2012 of Rs.50,00,000/- but the same was dishonored. Thereafter, notice was sent to the petitioner and her husband but no response was given.

Learned counsel for the petitioner submits that, in fact, Sarvjeet Singh, who is witness no. 1 in the complaint case lodged by the opposite party no. 2, Jaspreet Singh, was the employee in the business of husband of the petitioner, which was in the name of Wadera Sons, Caterers and Decorators in New Delhi but Saravjeet Singh left the job and moved from there with original document of title and blank cheque and other documents and later on, blank cheque was misused by the complainant-opposite party no. 2, who is son of brother-in-law of Saravjeet Singh and on knowing the said fact, Praveen Kumar Wadera, husband of the petitioner, gave the written application before the SHO, Lajpat Nagar 2<sup>nd</sup>, New Delhi on 06.09.2012 and after inquiry, Lajpat Nagar P.S. Case No. 318 of 2012 was instituted on 28.11.2012 against Saravjeet Singh and on investigation, police submitted the charge sheet on 23.12.2018 against Saravjeet Singh and complainant-opposite party no. 2 but only to give undue pressure, the present case has



been lodged with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioner, who is lady, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-II-cum-A.C.J.M., Patna, in connection with Complaint Case No. 2967(C) of 2012, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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