

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33765-2019 (O&M)
Date of decision: 30.10.2019

Amandeep Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Shiva Khurmi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. T.P.S. Bhatti, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.08 dated 15.02.2019 under Sections 420/120-B IPC, registered at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Gurdiyal Singh, an amount of Rs.5,98,100/- was paid by him to the petitioner for sending his son abroad. It is further submitted that the petitioner has paid back an amount of Rs.3.37 lacs to Jyoti, who was a travel agent and the remaining amount was paid to other accused named in the FIR.

Vide order dated 21.08.2019, while issuing notice of motion,

contention of learned counsel for the petitioner was noticed that the petitioner has paid back the amount and she was granted the concession of interim anticipatory bail.

Learned State counsel, on instructions from ASI Satwant Singh and assisted by learned counsel for the complainant, has stated that no amount is paid back to the complainant and he is not related to any person namely Jyoti, who is also named in the FIR.

Learned counsel for the complainant has given the complete details of the amount, which was deposited in the account of petitioner Amandeep Kaur on different dates and some amount was also paid in cash. It is, however, submitted that the petitioner and other accused allured the complainant that they will send his son Gurlal Singh to USA and on that pretext, they have cheated him and in this way, the complainant has parted away an amount of Rs.5,98,100/-, which has never been returned by the petitioner and other accused.

After hearing learned counsel for the parties, I find no ground to grant anticipatory bail to the petitioner, as the complainant by way of documentary evidence has proved that he has paid huge amount to the petitioner through bank as well as in cash and despite that the petitioner has neither sent son of the complainant abroad nor returned the amount.

Accordingly, the present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

30.10.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No