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

1. **CRM-M No.24 of 2020**
Date of Decision: 25.02.2020

Davinder Kaur**Petitioner**
Vs
State of Haryana**Respondent**

2. **CRM-M No.222 of 2020**

Amrit Kaur Ahuja @ Babu @ Rita Aggarwal & Anr.
.....**Petitioners**
Vs
State of Haryana**Respondent**

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Pankaj Bali, Advocate
for the petitioners.

Mr. Anmol Malik, A.A.G., Haryana.

Mr. Rabinder Ghumman, Advocate
for the complainant.

RAJ MOHAN SINGH, J.

[1]. Vide this common order, CRM-M Nos.24 and 222 of 2020 are being decided.

[2]. Petitioners seek grant of anticipatory bail in case bearing FIR No.94 dated 26.09.2019 registered under Sections 120-B, 406, 420, 467, 468, 471, 506 IPC at Police Station Ram Nagar, Karnal.

[3]. Since both the petitions have arisen out of the same FIR, therefore, facts are being noticed from CRM-M No.24 of 2020.

[4]. The allegations against the petitioners are that the complainant is a handicapped person. The accused are relatives of the complainant. The accused had given unwarranted requests to the complainant through Kuwar Jeet and Yuvraj sons of Harminder Singh. The accused kept on grabbing money from the complainant from time to time. The accused charged excess price for issuing some forged bills and kept on receiving money from the complainant.

[5]. Further allegations are that Kuwar Jeet and Yuvraj have grabbed an amount of Rs.5 lakhs on the pretext of touring and for providing higher posts in political parties. They kept on doing all these things for more than two years. Kuwar Jeet and Yuvraj gave the articles which were sent by Rita Aggarwal. Despite refusal of the complainant, they came to the house of the complainant and gave beatings to him and threatened for dire consequences. Petitioner-Davinder Kaur used to help them.

[6]. During investigation, it has been *prima facie* found that the accused party has given bills of many articles and has grabbed about Rs.15 lakhs from the complainant. Petitioner-Davinder Kaur got back many articles through her sons and no

amount was paid to the complainant. Rita Aggarwal is related to the complainant as niece and Davinder Kaur is related to the complainant as wife of his Bhanja.

[7]. Learned counsel for the petitioners submitted that the allegations are of rendering help to the sons of the petitioner-Davinder Kaur namely Kuwar Jeet and Yuvraj. Kuwar Jeet has already been granted regular bail. Husband of the petitioner-Davinder Kaur has been granted anticipatory bail. Kuwar Jeet remained on police remand and still no recovery could be effected from him.

[8]. Learned counsel further submitted that in fact Kuwar Jeet had given a loan of Rs.1,50,000/- to the complainant. Out of the said amount, the complainant had returned only an amount of Rs.45,000/- and due to the non-payment of the remaining amount, a rift had occurred between the parties. Interim order was granted in favour of the petitioners on 07.01.2020 and 08.01.2020.

[9]. Learned State counsel on instructions from the Investigating Officer submitted that the petitioners have not co-operated with the Investigating Officer. Bills produced on record in respect of articles like laptop and mobile phone have been found to be fake. The petitioners did not disclose from where they had purchased these articles.

[10]. Learned State counsel also pointed out that questionnaires were given to the petitioners during course of investigation. However, the petitioners have not co-operated in answering the same, rather kept on denying the questions.

[11]. Learned counsel for the complainant by referring to some incriminating materials like the forged admit card of Delhi High Court with logo of national emblem, Gas Card of Human Rights International Federation and diamond membership in the name of Prithpal Singh, Identity Card in the name of Prithpal Singh as District Senior Vice President (Karnal) Haryana of Human Rights International Federation, Identity Card of Haryana Congress Sewa Dal in the name of Prithpal Singh Virk and other documents submitted that the petitioners are involved in serious offences of forgery and projecting Government institutions in a bad shape in which the petitioner-party can make in-roads at their whims and fancies.

[12]. In this regard, learned counsel has pointed out some recording between Prithpal Singh and Rita Aggarwal showing some phenomenal assurances given by Rita Aggarwal to Prithpal Singh. Learned counsel has produced four transcripts copies of recordings wherein the payments have been made by the complainant to the accused party. All the recordings are available with the Investigating Officer.

[13]. I have considered the submissions made by learned counsel for the parties.

[14]. The conversation between the complainant and Rita Aggarwal would be tested by the prosecuting Agency at the threshold of its admissibility. *Prima facie* Rita Aggarwal is found to have involved bureaucrats, judicial officers and others in projecting her link with the said authorities. The factum of receiving the amount from the complainant on number of occasions has also come to fore which would be the subject matter of investigation by the prosecuting Agency. It has been pointed out in the alleged recordings that the cards i.e. Golden membership, pension card and the gas card of life time which have been prepared in the name of complainant are of higher associations,

[15]. It appears from the material collected till date that the accused party is involved in enticing the complainant, who is totally 100% handicapped in projecting and giving him some unfounded motivation by way of supply of copy of ration card, pension card, copy of gas card, identity card of Delhi High Court, gold membership card etc. and the petitioners have taken benefit of disability of the complainant.

[16]. The revelations made by learned counsel for the complainant, if proved, would give rise to serious

consequences.

[17]. For the reasons recorded hereinabove and keeping in view the conduct and attitude of the petitioners in not co-operating in the investigation, I deem it appropriate not to grant indulgence in favour of the petitioners for the grant of anticipatory bail. Both the petitions are hereby dismissed.

[18]. Nothing observed hereinabove shall be treated to be an expression on the merits of the case.

February 25, 2020	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No