

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

CRM-M-18479-2021 (O&M)

Date of decision: 28.05.2021

Mandeep Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Ajay Kaushik, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioner Mandeep Kaur, an accused in FIR No.0035 dated 08.04.2021, for offences under Sections 420, 120, and 120-B IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 registered with Police Station Moonak, District Sangrur.

Briefly stated facts of the case as per prosecution story are that, Kulwinder Singh son of Sh. Kehar Singh, resident of Village Hariau Kothe, Tehsil Lehragaga, District Sangrur had submitted a written complaint to Senior Superintendent of Police, Sangrur against Mandeep Kaur as well as one Rajesh Kumar son of Prem Nath, R/o H.No.171, Street No.1, G.K. Estate, Ishwar Colony, Focal Point,

Ludhiana, besides Harjeet Kaur daughter of Mangat Ram, R/o Village Dehlan, District Sangrur on the allegations that petitioner-accused Mandeep Kaur had introduced the complainant with Rajesh Kumar, who had given an assurance to the complainant to get work Visa for younger brother of the complainant, namely Maninder Singh and his wife Karamjit Kaur for Rs.22 lacs; under influence of Mandeep Kaur and Rajesh Kumar, the complainant transferred a sum of Rs.1,50,000/- in bank account of Rajesh Kumar *via* RTGS; another sum of Rs.1,50,000/- in similar manner in the account of Rajesh Kumar was transferred on 23.09.2020, besides a sum of Rs.50,000/- and Rs.1,20,000/- on two different occasions, total amount received being Rs.5 lacs; however, Mandeep Kaur and Rajesh Kumar failed to get valid work Visa for Maninder Singh and Karamjit Kaur; the money received was also not returned; on written complaint having been received by the police, the matter was enquired into, associating both the parties and the allegations in the complaint were found to have merit, as such, formal FIR was registered.

Apprehending her arrest in this case, the petitioner had approached the Courts of Sessions at Sangrur, by moving an application for grant of pre-arrest bail. Her such application, which was assigned to Addl. Sessions Judge, Sangrur, was, however, dismissed, vide order dated 19.04.2021. Feeling aggrieved, the petitioner has approached this Court, craving for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record and I find that there is no merit in the present petition.

The petitioner is specifically named in the FIR and it is consistent case of the complainant that Mandeep Kaur was actively involved in the whole scam. It was she, who had introduced Rajesh Kumar to the complainant and rather she had given guarantee that the work of complainant would be done and she would be responsible for payment of money by the complainant to Rajesh Kumar. In that way, Mandeep Kaur and Rajesh Kumar had trapped the complainant. Her prior meeting of mind with Rajesh Kumar to commit fraud and cheating with the complainant is fortified by her telephone call details record collected by the police showing that she had been in constant touch with her co-accused Rajesh Kumar. All the payments are said to have been made by the complainant to Rajesh Kumar at the instance of Mandeep Kaur and she along with Rajesh Kumar are said to have taken documents of Maninder Singh and Karamjit Kaur, therefore, it cannot be said that she has no role to play in the scam.

Though, learned counsel for the petitioner has submitted that the petitioner herself is victim at the hands of Rajesh Kumar and she had addressed a written complaint to Commissioner of Police, Ludhiana that she has been defrauded of Rs.7 lacs by Rajesh Kumar, handing over fake Visa to her but I find that such contentions are not convincing and plausible and it seems that this version is being put-

forward to provide probable defence in order to avoid criminal liability and to make out a case for grant of anticipatory bail. The custodial interrogation of the petitioner is found to be necessary for complete and effective investigation, so as to find out the full factual position. In case, the same is denied to the investigating agency that shall leave many loopholes, lacuna and gaps in the investigation, adversely affecting the case of prosecution, which is uncalled for.

Thus, no case for grant of pre-arrest bail to the petitioner is made out. The petition so moved stands dismissed accordingly.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

28.05.2021

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No