

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

CRM-M No.31937 of 2021

Date of Decision: 26-10-2021

Mona Rani

.....Petitioner.

Versus

State of Punjab

.....Respondent

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. S.S.Majithia, Advocate
for the petitioner.

Ms. Samina Dhir, Deputy Advocate
General, Punjab.

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MEENAKSHI I. MEHTA, J.

Apprehending her arrest in the criminal case pertaining to the FIR bearing No. 21 dated 23.04.2021 registered at Police Station City Raikot, Police District Ludhiana Rural, District Ludhiana, under Sections 420, 406 IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014, the petitioner has preferred this petition for seeking the relief of anticipatory bail.

2. Shorn and short of unnecessary details, the allegations, as levelled against the petitioner in the subject FIR, are that she, along-with her husband Satpal (who is her co-accused also), fraudently received the total amount of Rs.16,00,000/- from complainant Pritam Singh on the pretext of sending his daughter named Charanjit Kaur, i.e the second

complainant, abroad but neither they arranged for her requisite visa for this purpose nor returned her passport.

3. Status-report, by way of the affidavit of the Deputy Superintendent of Police, Raikot, District Ludhiana (Rural), has already been filed.

4. I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file thoroughly.

5. Learned counsel for the petitioner has contended that the petitioner had no role to play in the alleged crime and rather, the husband of the petitioner, i.e her co-accused, is alleged to have been paid the afore-said amount by the complainants and the petitioner is a home-maker and she does not work as Travel Agent and thus, she has been falsely implicated in this case and therefore, she deserves the relief as sought in this petition.

6. Per-contra, learned State counsel has argued that there are specific allegations in the FIR itself regarding the said amount having been handed over to the petitioner and her husband (co-accused) as she had accompanied her husband on both the occasions of the payment of the said amount by the complainants and it being so, this petition be dismissed.

7. A perusal of the FIR reveals that it has categorically been alleged therein that complainant-Pritam Singh had handed over a sum of Rs.5,00,000/- to accused Satpal who had handed over the same to the petitioner. Further, in Para No.2 of the status-report, it has been mentioned

that the amount of Rs.11,00,000/- was paid to the petitioner and her husband at their house. Then, as mentioned in Para No.3 therein, a sum of Rs.2,50,000/- has been returned by the petitioner and her husband to the complainant party and the remaining amount of Rs.13,50,000/- as well as the Passport of the second complainant and some other documents, are still lying in the possession of the petitioner. In such circumstances, the possibility of the requirement of the custodial interrogation of the petitioner for the recovery of the same cannot be ruled out.

8. Keeping in view all the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioner, this Court is of the considered opinion that she (petitioner) does not deserve the relief of anticipatory bail.

Resultantly, the petition in hand stands dismissed accordingly.

However, it is clarified that nothing contained here-in-before shall be construed to be an expression of the opinion of this Court on the merits of the case.

26th October, 2021.

**(MEENAKSHI I. MEHTA)
JUDGE**

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Whether speaking/reasoned: *Yes*

Whether Reportable: *No*