

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

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CRM-M-27412-2020 (O&M)

Date of decision : 18.01.2021

Tanisha Ashat

... Petitioner

Versus

State of UT Chandigarh and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vipul Jindal, Advocate for the petitioner.

Mr. Sukant Gupta, Addl. Public Prosecutor, UT, Chandigarh.

Mr. Navkiran Singh, Advocate for respondents No.2 to 37.

Mr. Maninderjit Singh, Advocate for respondents No.40 to 57.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.50 dated 31.03.2017 under Sections 420 and 120-B IPC and Sections 10 and 24 of the Emigration Act, 1983, registered at Police Station North, Sector 3, Chandigarh.

Learned counsel for the petitioner contends that the allegations against the petitioner are that she along with co-accused, namely, Arvind Ashat, who is her husband, are alleged to have taken money from the complainants on the pretext of sending them abroad for higher studies. He further contends that the petitioner is in custody for over two years and eight months. He also contends that the petitioner is willing to pay a sum of ₹1 crore to the complainants for the grant of regular bail.

Learned State counsel, upon instructions from ASI Dilbag Singh, contends that challan has been filed in some of the cases while other cases are under investigation. He further contends that there are a total 373 students who have been duped and the amount which the petitioner owes them is about ₹21 crores. The payment had been made by the students/complainants to the petitioner and co-accused in their accounts through RTGS or cash.

Mr. Navkiran Singh, Advocate and Mr. Maninderjit Singh, Advocate representing the complainants/applicants state that in the event of the petitioner paying ₹1 lac to each of the complainants, her case for regular bail may be considered.

Heard through video conferencing.

The allegations against the petitioner are that she and co-accused, namely, Arvind Ashat had allegedly taken a sum of ₹21 crores from 373 innocent students on the pretext of sending them abroad for higher studies. The petitioner is willing to return only a sum of ₹1 crore for grant of regular bail which is wholly inadequate. This is the second petition for grant of regular bail. The first petition bearing CRM-M-2545-2019 was dismissed as withdrawn on 20.11.2019 (Annexure P-3). The petition of co-accused, namely, Arvind Ashat bearing CRM-M-37010 of 2018 was dismissed by the Coordinate Bench of this Court on 13.08.2020. The co-accused had preferred SLP which had also been dismissed on 21.09.2020 (Annexure A-5 along with CRM No.26774 of 2020).

In view of the serious allegations and the petitioner having duped innocent students on the pretext of sending them abroad for higher education, I do not deem it appropriate to grant the concession of regular bail to the petitioner. The petition along with miscellaneous application(s) stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

January 18, 2021
sonia gugnani

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