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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.32034 of 2020

Date of Decision: 22.02.2021

DALVIR KAUR

.....Petitioner

Vs

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Nikhil Sharma, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

Mr. Dharminder Singh Randhawa, Advocate
for respondent No.2/complainant.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.104 dated 12.09.2020 registered under Sections 406 and 420 IPC at Police Station Doraha, District Ludhiana (Punjab).

Vide order dated 09.10.2020, notice of motion was issued by passing the following order:-

"The case has been taken up for hearing through video conferencing."

Learned counsel for the petitioner contends that the petitioner herself is a victim as her son Gagandeep Singh is a diploma holder in Computer Science and wanted to settle abroad. Petitioner's son came into contact with Lovely Way Education Consultants in Mohali and after getting Visa, he went to Malasiya in the year 2018. Son of the petitioner met with an Agent namely Rana in Malasiya, who sent him to Spain. After some time, Gagandeep Singh came back to India and again tried for Visa. The complainant also wanted to settle abroad and he contacted the petitioner and inquired about the Agent. The complainant himself settled the terms and conditions with the aforesaid Agent namely Rana, but the complainant as a clever devise, transferred an amount of Rs.2,50,000/- in the account of the petitioner. An amount of Rs.50,000/- has already been received by the complainant from the petitioner and an amount of Rs.2 lakhs has been transferred by the petitioner in the account of aforesaid Agent namely Rana through RTGS.

Learned counsel further submits that in order to settle the issue with the complainant, the petitioner is even ready to part with the amount of Rs.2,00,000/- in favour of the complainant.

Notice of motion for 06.11.2020.

Till the next date of hearing, arrest of the petitioner shall remain stayed.”

Learned counsel for respondent No.2/complainant submitted that an amount of Rs.50,000/- as alleged by the petitioner was never paid to the complainant. The complainant approached Sr. Superintendent of Police, Khanna upon which

an agreement was executed between the parties on 10.12.2019. According to the aforesaid understanding 10 cheques were given by the petitioner to the complainant as security and she was told to pay Rs.25,000/- per month. Office of Sr. Superintendent of Police again summoned the petitioner, but she did not attend the office nor paid any installment.

During course of hearing before this Court, learned counsel for the petitioner has shown the willingness of the petitioner to pay an amount of Rs.2,50,000/- in five equated installments of Rs.50,000/- every month. The installment shall be paid in the first week of every month in the bank account of the complainant by recognized mode of transfer. The bank account details shall be furnished by the complainant to the petitioner within two days.

In view of above, petitioner is directed to pay an amount of Rs.2,50,000/- in five equated installments of Rs.50,000/- every month. So long as the petitioner keeps on making regular payments of installments, the interim order dated 09.10.2020 shall remain in operation. The said interim order shall cease to exist even on single default of the petitioner in making the payment of agreed installment and the anticipatory bail shall be deemed to be dismissed without making any further reference to the Court. The payment of installment of Rs.50,000/- will

commence from the 1st week of March 2021.

With the aforesaid directions, the petition stands disposed of.

February 22, 2021

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No