

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

(203)

CRM-M-39686-2021.
Date of Decision:-01.12.2021.

Loveneet Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr. Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.39 dated 08.05.2021 under Sections 406 and 420 of IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Bilga, District Jalandhar Rural.

On 23.09.2021, this Court was pleased to pass the following order:-

*“Prayer in the present petition is for grant of
anticipatory bail to the petitioner in FIR No.39 dated
08.05.2021 registered under Sections 406, 420 of the Indian
Penal Code, 1860 and Section 13 of the Punjab Travel*

*Professionals (Regulation) Act, 2014 at Police Station Bilga,
District Jalandhar Rural.*

Learned counsel for the petitioner inter alia contends that the petitioner is a lady and has given birth to a female child on 19.07.2021 and the said female child is only 2 months old and she needs proper care of the mother. He further submits that out of the entire amount of Rs.6,20,000/-, an amount of Rs.1,00,000/- has already been paid and the petitioner is even ready to pay the balance amount of Rs.5,20,000/-. He further submits that within a period of two weeks, the petitioner would pay an amount of Rs.50,000/- to the complainant and within a period of three months, she will make the entire payment.

Notice of motion.

On asking of the Court, Mr. Ramdeep Partap Singh, DAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 01.12.2021.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

The petitioner would be bound by the undertaking given before this Court and she will have to pay an amount of Rs.50,000/- to the complainant within a period of two weeks and then make the entire payment within a period of three months.”

Learned counsel for the petitioner has submitted that the petitioner has not even got the amount of Rs.50,000/-.

Learned counsel for the State has submitted that the petitioner has apparently made the statement only to get the said relief.

This Court has heard the learned counsel for the parties.

As per the FIR, the allegation against the petitioner was that she is a travel agent and had demanded Rs.6,20,000/- to send the complainant abroad and the said amount was paid to the petitioner whereas, the petitioner had fabricated visas of the complainant and, thus, had not sent them abroad. The petitioner had promised to make the payment to the complainant on various dates and the last payment to be made was on 31.03.2021. However, the same was not done. Even before this Court, a statement was made that the entire amount would be paid i.e., Rs.50,000/- would be paid to the complainant within a period of two weeks from the date of the order dated 23.09.2021 and the balance would be paid within a period of three months from the said date. The same has not been done.

Keeping in view the allegations against the petitioner as well as the conduct of the petitioner, the present petition for grant of anticipatory bail is dismissed.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed

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independently of the observations made in the present case which are only
for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

December 01, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No