

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

CRM-M-18955-2022

Date of Decision:-12.05.2022

Manjit Kaur.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Ramesh Sharma, Advocate for the Petitioner.

JASJIT SINGH BEDI, J.(ORAL)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.76 dated 08.04.2022 under Sections 420, 406 IPC registered at Police Station City Kapurthala, District Kapurthala.

The brief facts of the case are that the present FIR came to be registered on the complaint of Jabbarjit Singh to the effect that the petitioner and her son Jaskaranjit Singh had cheated the complainant for a sum of Rs.10 lacs under the pretext of sending the complainant to Canada. As per his version, negotiations took place between the complainant and Jaskaranjit Singh whereby he had raised a demand of Rs.20 lacs half of which was to be received in advance and rest half on reaching Canada. As per the FIR in the month of March 2017 the complainant along with his friend Harsimranjit Singh made a payment of Rs.4.5 lacs along with passport and necessary documents as desired by Jaskaranjit Singh who handed over the

same to the present petitioner. A few days thereafter a sum of Rs.3 lacs was paid to Jaskaranjit Singh in the presence of his mother (the present petitioner). Subsequent thereto, another sum of Rs.2.5 lacs was paid. It was thus alleged that an amount of Rs.10 lacs had been paid but the complainant had not been sent to Canada.

The Counsel for the petitioner contends that the allegations against the petitioner are baseless. In fact she is an old lady who had retired as Headmistress from education department. The present FIR is an outcome of some money dispute between the complainant and her son Jaskaranjit Singh for which complainant had also filed a civil suit for recovery in the year 2021. He further submits that the assurance which she had given to the police to make a payment of Rs.10 lacs was under duress.

I have heard learned Counsel for the petitioner at length.

A perusal of the FIR would clearly shows that the allegations are serious and have been made not only against Jaskaranjit Singh but also against the petitioner, the mother of Jaskaranjit Singh. The petitioner had issued a post date cheque of her account in favour of complainant which shows that she is a party to the offence and was trying to placate the complainant. Be that as it may, the Canadian Visa as promised was not provided to the complainant. The police record and the investigation proceedings reflect that an active role has been played by the petitioner and at this stage it cannot be said that she had been falsely implicated being the mother of the main accused-Jaskaranjit Singh.

Keeping in view the seriousness of the allegations the custodial interrogation of the petitioner would be necessary to unravel the entire conspiracy, as also to provide information of the whereabouts of her son

Jaskaranjit Singh.

In view of the above, finding no merit in the present petition,
the same is hereby dismissed.

(JASJIT SINGH BEDI)
JUDGE

May 12, 2022

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>