

211 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39359 of 2022(O&M)

Date of Decision: 16.12.2022

Darshpreet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Himanshu Puri, Advocate
For the petitioner.**

Mr. C.L. Pawar, Addl. AG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 161 dated 13.07.2022, registered under Sections 420, 406 and 120-B IPC and Section 13 of the Punjab Travel Professionals Act, 2014 at Police Station Sidhwan Bet, Ludhiana (Rural).

The counsel for the petitioner submits that the petitioner is a widow aged about 54 years and she neither did the work of travel agent nor received any money from complainant Jaspreet Kaur on the pretext of sending her son to foreign country. The counsel for the petitioner further submits that all the allegations made in the FIR are totally false and the petitioner is ready to join the investigation with the police.

The present petition is resisted by the State counsel who submits that the petitioner took huge money from the complainant to send

her son abroad but the petitioner failed to do so and also refused to return the money. The State counsel further submits that the petitioner is involved in two other cases of similar nature and is a habitual offender and as such is not entitled to get benefit of anticipatory bail.

I have considered the submissions made by the counsel for the parties.

In the present case FIR was registered against the petitioner on the basis of the complaint lodged by complainant Jaspreet Kaur wherein it is alleged that in total petitioner took Rs.5,000,00/- and some gold jewellery from the complainant with promise to send her son abroad but thereafter petitioner failed to fulfill her promise and also refused to return the money to the complainant. Further, as has been submitted by the State counsel the petitioner is a habitual offender and is already involved in two other cases of similar nature.

In the light of the above, this Court is of the view that the petitioner is not entitled to get concession of anticipatory bail and her custodial interrogation is required for proper and effective investigation of the case.

Consequently, the present petition is hereby dismissed. However, any observation made hereinabove is not to be considered as expression of opinion on the merits of the case.

16.12.2022

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(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No