

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19569-2023
Date of Decision: April 21, 2023

KUNJAN GUPTA Petitioner

Versus

STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Narinder Lucky, Advocate for petitioner.
Mr. Tarun Aggarwal, Sr. D.A.G. Punjab.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 438 CrPC, prayer has been made for grant of anticipatory bail in case FIR No.31 dated 11.02.2023 under Sections 406, 420 and 120-B IPC registered at Police Station City Rupnagar, District Rupnagar.

2. Learned counsel for the petitioner submits that there is delay of almost three years in registration of FIR. Besides it, learned counsel also submits that petitioner is not involved in the business of sending people abroad and there is no other FIR of similar nature pending against her. Learned counsel further questions the veracity of the FIR on the point of same having been registered at Rupnagar while submitting that the offence, if at all, was committed within the territorial jurisdiction of either Mohali or Panchkula.

3. On the other hand, learned State counsel opposes the prayer made herein while submitting that there are clear-cut financial transactions in the account of petitioner, the money having been deposited at the instance of complainant and no explanation except of

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mentioning about some “committee” being run by the petitioner and the payment having been received against that has been explained in the petition. Besides it, learned counsel for the complainant submits that the petitioner was handed over money through account transactions besides having been paid certain amount in cash for sending the complainant abroad.

4. I have heard learned counsel for the parties and have gone through the paper-book. I am unable to find any substance in the submissions made on behalf of petitioner.

5. There are specific and categoric allegations levelled against petitioner coupled with the fact that certain amount has also been deposited in the account of petitioner which belies the stand taken by her that she was not involved in any kind of business of sending people abroad. No document whatsoever has been appended along with the paper-book so as to substantiate the claim of the petitioner as regards running of some kind of “committee” and the payments having been received in her account on the pretext of those committees.

6. Considering the nature of allegations levelled against petitioner, offences alleged in the FIR requires proper investigation and therefore, I do not find any ground to allow the present petition.

7. The present petition is dismissed.

21.04.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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

