

**(104) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-2091-2023,
CRM-2092-2023 in
CRM-M-29504-2022
Date of Decision: 19.01.2023**

PREETY

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, D.A.G, Punjab.

Mr. Abhimanyu Vinayak, Advocate
for the complainant.

JASJIT SINGH BEDI, J.

CRM-2091-2023

The present application has been filed by the applicant-petitioner for impleading the complainant-Kulwinder Singh son of Gurmail Singh as respondent No.2 to the petition.

For the reasons mentioned in the application, the same is allowed and the complainant-Kulwinder Singh son of Gurmail Singh is impleaded as party respondent No.2 to the petition.

CRM-2092-2023

This is an application filed under Section 482 Cr.P.C. for preponing the date of hearing in the case i.e. fixed for 30.01.2023.

Notice in the application.

Mr. Kirat Singh Sidhu, D.A.G, Punjab accepts notice on behalf of the respondent-State.

For the reasons mentioned in the application, the same is allowed and the date of hearing is preponed from 30.01.2023 to today and the matter is taken up on board today itself.

CRM-M-29504-2022

This 2nd petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.228 dated 29.09.2016 (Annexure P-1) registered under Sections 406, 420 IPC, 1860 and (Section 13 of Punjab Travel Professional (Regulation) Act 2014 added later on) with Police Station Rama Mandi, Jalandhar, District Police Commissionerate Jalandhar.

2. The brief facts of the case are that the statement of Parvinder Kaur and Kulwinder Singh was recorded to the effect that they had applied for a Visa to visit Hong Kong through agent namely, Aman and his wife Preety Kashyap (petitioner). They had paid a sum of Rs.5,90,000/- to them in the presence of their (complainant party) maternal uncle Jasvir Singh. On 24.12.2015, when they reached Hong Kong, they were not allowed to enter and were sent back stating that the Visa was a fake document. When they demanded a sum of Rs.5,90,000/- back, they were told that the money would

be returned after deducting the expenses or that they (accused) would apply for a Visa for another country. Pursuant thereto, they applied for a Visa to visit Malaysia. However, the same was not procured. Thus, the accused had cheated them (complainant party).

3. The learned counsel for the petitioner contends that the petitioner was in custody since 07.02.2022. Only 01 out of the 16 prosecution witnesses has been examined so far. A compromise has been effected between the parties which is annexed as Annexure P-4 to the application. He thus, prays that the petitioner be granted the concession of bail.

4. On the other hand, the learned State counsel contends that a serious offence has been committed by the petitioner. As such, the petitioner was not entitled to the grant of bail. He, however, does not dispute the fact that a compromise has been arrived at between the parties.

5. Mr. Abhimanu Vinayak, Advocate has put in appearance on behalf of the complainant and has filed his power of Attorney. The same is taken on record. He admits that a compromise having been effected between the parties and states that he has no objection, if the petitioner was granted the concession of bail.

6. I have heard the learned counsel for parties.

7. Admittedly, the petitioner has been in custody since 07.02.2022. Only 01 out of the 16 prosecution witnesses has been examined so far. Meanwhile, a compromise dated 13.10.2022 (Annexure P-4) has been effected between the parties. As such, the further incarceration of the petitioner is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Preety wife of Aman Kumar is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

19.01.2023
JITESH

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