

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

CRM-M-44079-2023 (O&M)

Reserved on: 13.09.2023

Pronounced on: 15.09.2023

Amandeep Kaur

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Arshpreet Khadial, Advocate
for the petitioner.

HARNARESH SINGH GILL (Oral),

1. Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.130 dated 13.12.2022 registered under Sections 406, 420, 120-B IPC, at Police Station Urban Estate, Patiala.
2. Learned counsel for the petitioner submits that the petitioner is a housewife and she has nothing to do with the alleged crime; that the name of the petitioner was not mentioned in the complaint submitted by complainant-Gurmukh Singh against Deepinder Singh @ Harry Sandhu-husband of the petitioner; that she has been implicated merely being the wife of Deepinder Singh; that no offence is made out either under Section 406 IPC; that Sections 406 and 420 IPC are ante-thesis and only either of them can be maintained; that not even a single penny has ever been handed over to the petitioner and the name of accused-girl is mentioned as Deep whereas the petitioner's name is Amandeep Kaur; that complainant in the present case and one Dr. Animesh Pathak-complainant of FIR No.160 dated 28.07.2022 registered under Sections 420, 406, 506, 120-B IPC at Police Station Kotwali, Patiala, are close friends and in connivance with each other, they lodged the said FIRs

mentioning same amount i.e. Rs.8,25,000/- allegedly paid in advance to the husband of the petitioner and that the present FIR contains totally false, baseless and frivolous allegations.

3. Notice of motion.

4. On the asking of this Court, Mr. C.L. Pawar, Addl. AG Punjab, accepts notice on behalf of the respondent-State and on instructions from ASI Partap Singh submits that the petitioner and her husband are habitual offenders and are involved in two other similar FIRs; that they are not staying at the given addresses and are playing fraud with the innocent persons on the pretext of sending them abroad.

5. Mr. K.B. Raheja, Advocate, appears and files power of attorney on behalf of the complainant in the Court. He submits that the petitioner is the main culprit, who introduced her husband to the complainant by saying that he is doing the business of Immigration and they could arrange Visa and work permit for Canada. He further submits that learned counsel for the petitioner is disputing the name of the petitioner in the FIR which is mentioned as Deep, but there is no dispute regarding the name of the husband of the petitioner.

6. I have heard the learned counsel for the parties.

7. Perusal of paper-book would reveal that it was the petitioner, who used to visit Salon of Simran Kaur, who was being treated as sister by the complainant. It was over there that petitioner had told her(Simran Kaur) that she along with her husband Harry Sandhu was doing the work of immigration and they would arrange Visa of Canada. The complainant was told that he would have to pay a sum of Rs.20 Lakh, out of which Rs.8,25,000/- were paid on 6.4.2022. Then, on 13.5.2022, he had paid a sum

of Rs.10,75,000/- to Harry Sandhu in the presence of Simran Kaur, her husband Harjit Singh, his uncle Surinder Singh and mother. When on 16.5.2022 he had given a call to Harry Sandhu, the latter had informed him that Visa Officer had been on leave and that he would accompany him and get the work done qua Visa and they would go on 18.5.2022. Then, as per complainant, he tried to contact Harry Sandhu on mobile phone, but his phone was found switched off. When he tried to contact him at the given address at Lata Enclave, he came to know that Harry Sandhu had left the said house.

8. The allegations against the petitioner are very serious. Apart from the present FIR, the petitioner is also involved in two other criminal cases of similar nature i.e. FIR Nos. 140 dated 19.06.2019 registered under Sections 420, 120-B IPC, at Police Station City, Kotkapura, District Faridkot and FIR No.160 dated 28.07.2022, registered under Sections 420, 406, 506 and 120-B IPC at Police Station Kotwali Patiala, District Patiala. All these facts would clearly show that the petitioner is a habitual offender and has been in the practice of duping the innocent people of their hard earned money, on the false promise of sending/settling them abroad. All this seems to be part of a bigger racket of cheating the innocent people. In these circumstances, the custodial interrogation of the petitioner is required to unearth the said racket.

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

(HARNARESH SINGH GILL)
JUDGE

15.09.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No