



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

**CRM-M-18210-2021 (O&M)**

Date of Decision : **28.05.2024**

**JASVINDER KAUR AND ANOTHER**

.....Petitioners

***VERSUS***

**STATE OF PUNJAB AND OTHERS**

.....Respondents

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Onkar Singh, Advocate  
for the petitioners.

Mr.Pardeep Bajaj, DAG, Punjab  
for respondents no.1 and 2.

Mr. C.S.Bakshi, APP, UT, Chandigarh,  
for respondents no.3 and 4.

**KULDEEP TIWARI, J.(Oral)**

1. Through the instant petition, prayer is made for issuance of a *mandamus* upon the official respondents, not to deprive the petitioners of their liberty and fundamental rights, and also issue a direction upon the official respondents that the petitioners be given a week's advance notice before effecting their arrest, in case the police implicate them in any FIR at the instance of respondent no.5.

2. In response to the notice issued by this Court, a reply by way of an affidavit of Inspector Asha Sharma, Incharge, Anti Human Trafficking Unit, Sector-17, Chandigarh, was filed on behalf of respondents no.3 and 4. The relevant extract of the reply reads as under:-

“4. That it is noteworthy that a Special Investigation Team has been constituted in the present case FIR. The deponent who is also a member of this SIT sent a requisition under Section 91 Cr.P.C. for obtaining the account details and the money transaction through Money Gram and Western Union from abroad of the bank account pertaining to the petitioners i.e. Smt. Jaswinder Kaur and her younger son Shri Ranbir Singh. Vide letter dated 19.4.2021, Capital Small Finance Bank has provided the Money Gram and Western Union transactions from 2017 till date. The same are attached herewith as Annexure R-3/3. A perusal whereof shall reveal that on 2.3.2017 and 2.8.2017, Sukhminder Singh had sent money through Money Gram to his wife Jaswinder Kaur from USA. Their eldest son Manveer Singh who is living in USA has also been sending money to his mother in this very account.

5. That the other persons who have been sending money to Jaswinder Kaur and Ranveer Singh are being probed into. A material fact has emanated for the first time that the accused might be living with his elder son in USA.

6. That in order to ascertain the whereabouts of Sukhminder Singh, his wife Jaswinder Kaur and younger son Ranveer Singh were called and were examined on 12.4.2021. During the questioning of Ranveer Singh, he disclosed that the address of his brother Manveer Singh is House no. 1289, Tuscany. Dr. Dinuba, California, USA and his mobile no. Is +1559546-2511.

7. That another vital piece of information which has been unraveled is that Sukhwinder Singh went to Bangkok from Delhi on 26.8.2012 and then to Macau. The details of the air tickets and the travel in this regard are attached herewith as Annexure R-3/4.

8. That on 16.4.2021, Inspector Asha Sharma, Incharge Anti Human Trafficking Unit, who is also a member of this SIT sent a requisition under Section 91 Cr.P.C. to Mrs. Jaswinder Kaur and her younger son to provide the certified copies of their Income Tax returns for the last 5 years, certified copies of their PAN card and Aadhaar Card, provide the source of their income since 2013 and provide all bank account details. A copy of this notice is attached herewith as Annexure R-3/5. As per this notice, both these persons had to appear on or before 20.4.2021. However, both did not appear.”

3. A perusal of the aforesaid reply, makes it ample clear that petitioners are required to co-operate in the ongoing investigation, in the FIR, in which, husband of petitioner no.1, is an accused. It further reflects that the husband of petitioner no.1, and her elder son, are transferring amount to USA, and in order to trace the real address of the culprit Sukhminder Singh, the co-operation of present petitioner, is required, at this stage.

4. In view of the above, at this stage, there is no incriminating evidence available with the prosecution agency, which can conclude that the petitioner is an accused in the instant FIR. Therefore, at this stage, there is no apprehension to the life and liberty of present petitioners, requiring any direction to be passed by this Court.

5. Consequently, the instant petition is **disposed of** accordingly.

6. However, a direction is passed upon the petitioners that in case the head of the SIT, requires them for any kind of assistance in concluding the investigation in the FIR (*supra*), the petitioners shall extend all possible assistance, as per law.

7. All pending application(s), if any, also stands disposed of.

**May 28, 2024**  
*dharamvir*

**(KULDEEP TIWARI)**  
**JUDGE**

|                            |   |        |
|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable.        | : | Yes/No |