



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

CRM-M-25808-2024 (O & M)
Date of Decision: 24.07.2024

Amandeep Kaur @ Lavu Kaur

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Deepak Aggarwal, Advocate, for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Mr. Ajeet Pal Singh Pakka, Advocate,
for the complainant.

JASJIT SINGH BEDI, J.

The prayer in this petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.31 dated 20.03.2024 under Sections 306, 420 and 201 IPC registered at Police Station Talwandi Sabo, District Bathinda, Punjab.

2. The present FIR came to be registered at the instance of Gursevak Singh and reads as under:-

“Copy of statement, "stated that I am a resident of the said address and I work in agriculture. We are two brothers and one sister. My sister and my elder brother Gurtej Singh are both married. I am still single. My brother Gurtej Singh and I live in a shared house with my father Basant Singh. In April 2022, my father Basant Singh was introduced to Gulab Singh Advocate in his Chamber at Bathinda, where Rajpreet Kaur wife Narinder



Singh resident of Naruana Road Street No. 1 Birbal Basti Bathinda who said that my son Lovepreet Singh works to send people abroad and I work to make relationships, my father's phone was taken from him. Then after about 3-4 days my father received a call saying that you give me 3 lakh rupees today, I will send your son Gursevak Singh abroad for 25 lakh rupees. Then the said accused Rajpreet Kaur and Lovepreet Singh started coming to our house. Then 5-6 days later on 30/4/2022, Rajpreet Kaur and her boy Lovepreet Singh took Rs.1,20,000 which Jagdev Singh took from Aartiya and Rs.1,80,000 in the presence of Tarsem Singh at our Aartiya Jagdev Singh Dana Mandi, Bathinda, which was withdrawn from the bank on 29/4/2022, a total of Rs. 3 lakhs was given to Rajpreet Kaur and Gursevak Singh by filling the pronote. Then asked to pay the remaining 23 lakh rupees at the time of getting my visa. Then on 16/5/2022 he withdrew Rs. 1,50,000 from his account and on 08/7/2022 he withdrew Rs. 1,30,000 from his account and gave it to Rajpreet Kaur and Lovepreet Singh by filling the pronote and gave it to them intoxicating tablet he presents of Sonu Aartiya Dana Mandi Bathinda. On 14/7/2022 | withdrew Rs 1,50,000 from my bank account and was given to Rajpreet Kaur to apply for my passport. On 29/7/2022, Lovepreet Singh along with his wife Love Kaur came to our house on a motorcycle, who demanded Rs 50,000 and I withdrew Rs 50,000 from my bank account in Kotshmir Barach and gave it to them. Then on 29/8/2022 my father withdrew Rs 2,20,000 in the bank account and used Rs 20,000 at home and counted Rs 2,00,000 at our Aartiya Sonu shop and gave it to Rajpreet Kaur in cash and on 15/10/2024 withdrew Rs. 10,00,000/- from their limit account and gave it to Rajpreet Kaue and he son Lovepreet Singh from my father at bank at Kot Shamir. After that I got a call from Lovepreet Singh saying that I am going to Portugal and will call you too and he



came to our house and parked his blue tractor as a security, but he didn't call me. It came to the father that the visa of your son Gursevak Singh has arrived and that Rs. 2,00,000 more is needed then my father Basant Singh gave Rs.2,00,000 cash to Rajpreet Kaur on 05/5/2023 out of which Rs.1,00,000 was taken from my uncle Kaku Singh son of Mukhtiar Singh against a pronote and he withdrew one lakh rupees from his account. Instead, Rajpreet Kaur gave a check number 050239 of Central Bank of India in my name. In which of the check the date was written on 18/10/2023 which was checked in the back and its signature turned out to be wrong, after that Rajpreet Kaur, Rajpreet Kaur etc. did not listen to my father nor sent me abroad. Then on 28/02/2024 my father gave an application against the said accused to SSP Bathinda which was investigated by D. SP (D) Bathinda is doing it, who called him to write my father's statement but my father was ill and he could not go to write his statement. After taking money from my father, Rajpreet Kaur cheated us and sent her son abroad to Portugal, due to which my father was upset used to say that I will die as I am said up with Rajpreet Kaur and Lovepreet Singh as they have cheated me. Last night, my father tied a curtain to the ceiling of the cattle room of our house, because Rajpreet Kaur, Lovepreet Singh and his wife Lovu Kaur cheated me and did not send me out and forced me and did not return the money, he has ended his life by hanging whose body is lying in Dad House Government Hospital Talwandi Sabo. Legal action should be taken against this. I have written the statement, I heard it and the same is correct. SD/- Gursevak Singh”.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. As per the FIR, it was the mother-in-law and husband of the petitioner who were the main accused. As



she was a first-time offender, in custody since 20.03.2024 but none of the 21 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon, and therefore, she was entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, has filed a status report dated 23.07.2024 by way of an affidavit of Rajesh Snehi Batta, PPS, Deputy Superintendent of Police, Sub Division Talwandi Sabo, District Bathinda, which is taken on record. While referring to the said status report, he alongwith the learned counsel for the complainant contend that a bare perusal of the FIR would reveal that the petitioner, her husband and mother-in-law cheated the complainant party of a huge amount of money on the pretext of sending the complainant-Gursewak Singh son of the deceased abroad. However, neither was the complainant sent abroad nor was the money returned to the complainant party. On the contrary, Lovepreet Singh fled abroad (Portugal) and is currently absconding. On account of the financial loss suffered by the deceased and his family members, he had committed suicide by hanging. Therefore, the nature of the allegations levelled against the petitioner and her co-accused did not entitle her to the concession of bail.

5. I have heard the learned counsel for the parties and gone through the record.

6. A perusal of the FIR and investigation conducted so far reveal that on the pretext of sending the complainant-Gursewak Singh abroad, his father-Besant Singh had paid a huge amount to the accused including the



present petitioner. Despite receiving the amount, neither was the complainant-Gursewak Singh sent abroad nor was money returned to the complainant party. On the contrary, Lovepreet Singh fled to Portugal and is currently absconding. It was, in this situation, that the deceased committed suicide. Apparently, the allegations against the petitioner and her co-accused are grave. The conduct of the accused drove the deceased to commit suicide as he had little hope of recovering his money. Therefore, at this stage, I do not deem it appropriate to grant her the concession of bail.

7. In view of the above discussion, the present petition stands dismissed.

8. However, keeping in view the facts and circumstances of the present case, the Trial Court is directed to conclude the Trial as expeditiously as possible but, in any case, not later than 06 months from the next date fixed before it.

(JASJIT SINGH BEDI)
JUDGE

July 24, 2024
sukhpreet

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No