



CRM-M-33286-2024

-1-

210

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

CRM-M-33286-2024

Date of Decision:- 04.11.2024

Poonam alias Manpreet Kaur
Vs.

...Petitioner

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

AMARJOT BHATTI, J.

Petitioner Poonam alias Manpreet Kaur has filed anticipatory bail petition under Section 438 Cr.P.C. in case FIR No. 44 dated 29.04.2024 under Section 420 of IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Dhariwal, District Gurdaspur.

2. As per the facts of case, Harjit Singh filed written complaint that Dr. Farooq Masih is running shop of doctor in his house at Ludhiana. He (complainant) used to take medicine from his shop and was on talking terms. He disclosed that he sent children abroad for work. He is Bishop and used to get offers from abroad. He was allured by him for sending his son Jashanpreet abroad. His wife Poonam had shown him (complainant) Work Visa of Canada regarding 2-3 persons from mobile phone and further



CRM-M-33286-2024

-2-

disclosed that there were offers for sending persons to USA, Canada and Australia. It was disclosed that other persons are charging ₹30 lakhs for sending people abroad but he can do their work for lesser amount. His sister-in-law also supported their version. He agreed to send his son abroad. He was told that ₹4 lakhs are charged for sending person to Canada and ₹7 lakhs are charged for sending person to USA. They took ₹50,000/- in advance. He paid ₹1 lakh in cash and he was called for signing certain documents. He was told to deposit ₹1,32,000/- in a Trust for Visa of Jashanpreet. There was a fake Trust in the name of Saaj Tour Education and Charitable Trust, Dhariwal, having account in State Bank of India, Tehsil Dhariwal. They were made to sign certain papers time and again. They asked for Passport of his son for stamping. Thereafter, Passport was handed over to him. He was told to reach Delhi on 07.06.2023 on the pretext of getting their finger prints and was told that seat could be booked for 20.06.2023. His son alongwith five other persons reached Delhi and called the number of Dr. Farooq Masih but his phone was switched off. His son went to the office of Embassy where finger prints were to be taken but Dr. Farooq Masih did not pick up the phone. In this way, Dr. Farooq Masih, his wife and sister-in-law committed fraud with them.

3. Learned counsel for petitioner argued that petitioner was granted *interim* bail vide order dated 16.07.2024. She has joined investigation. Allegations levelled against petitioner are false. She is ready to abide by terms of bail order. Therefore, *interim* bail granted in her favour may be confirmed.



CRM-M-33286-2024

-3-

4. Status report is filed, confirming the allegations levelled by complainant Harjit Singh. It is pointed out that there are specific serious allegations against petitioner and co-accused. Dr. Farooq Masih and Pooja were arrested on 30.04.2024. As per *interim* order dated 16.07.2024, present petitioner was to join investigation but she did not join the same so far. It is further referred that petitioner is involved in another case of similar nature. Her custodial interrogation is required. Therefore, she is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record carefully. Present petitioner is specifically named alongwith other co-accused to allure complainant to give huge amount for sending his son abroad alongwith other persons. As per facts referred above, after obtaining huge amount, present petitioner and other co-accused switched off their phones and did not give any response. Petitioner was granted *interim* bail vide order dated 16.07.2024, but as per status report, she did not cooperate with Investigating Agency. Considering the aforesaid factual position, in my opinion, petitioner is not entitled to be released on anticipatory bail and her bail petition is accordingly, dismissed. *Interim* bail already granted in favour of petitioner vide order dated 16.07.2024 stands vacated.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

04.11.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No