

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:121983



CRM-M No. 47069-2024 (O&M)

Date of Decision: 20.09.2024

Harshdeep Chauhan

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present : Mr. Harpreet S.Rakhra, Advocate, for the petitioner.

Mr. Gagneshwar Walia, Addl. Advocate General, Punjab.

Mr. Tanvir Singh Grewal, Advocate, for the complainant.

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioner apprehends her arrest in respect of offences punishable under Sections 406 and 420 of the Indian Penal Code and under Section 24 of the Immigration Act, 1983 in FIR No. 89 dated 22.08.2024 registered at Police Station NRI, District SAS Nagar, Mohali.

2. The element of sympathy being an Advocate of 36 years of age and a nursing child of 8 months has been raised by the petitioner. The allegation against the petitioner is that she being a practicing Advocate in Punjab and Haryana High Court Bar Association received an amount of Rs. 8.92 lacs by posing herself as an agent for obtaining immigration visa for the complainant-Harpal Singh but failed to provide the same.

3. Had this been the first instance, this Court may have considered the matter but the case diary indicates that on similar allegations, following three FIRs have been registered against the petitioner:-

- i) FIR No. 56 dated 21.05.2022 under Sections 406, 420 of the Indian Penal Code and under Section 13 of the Punjab Travel Professional Act, Police Station Navi Baradari, Police Commissionerate, Jalandhar;
- ii) FIR No. 113 dated 07.09.2022 under Sections 406 and 420 of the Indian Penal Code at Police Station Kotwali Nabha, District Patiala; and
- iii) FIR No. 45 dated 30.03.2022 under Sections 406/420 IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Maqsudan, District Jalandhar Rural,

Though in all these FIRs, the petitioner has been granted the concession of anticipatory bail but in none of them she has been acquitted so far.

4. Considering the criminal antecedents of the petitioner and the seriousness of the allegations, the gravity of the offence outweighs the element of sympathy raised by the petitioner. Accordingly, the petition stands dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

20.09.2024

ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√