IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:074424

210 **CRM-M-8716-2025**
Date of decision:28.05.2025

Kiran Bansal ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sarju Puri, Advocate and
Ms. Kudrat Sareen, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.50 dated 24.04.2024 registered under Sections 420, 120-B IPC at Police Station Nakodar Sadar, District Jalandhar (Rural).

2. The aforementioned FIR was lodged by complainant - Seema alleging therein that on 04.02.2020, accused Jasbir Kaur and her husband Kuldeep Singh had come to her house and had represented to her that she could send her husband Jaswinder Kumar to Canada as her friend was living there. They also showed to the complainant in their cell phones, screen shots of visas granted to other persons and also represented that the friend of accused Jasbir Kaur, who was living in Canada would sponsor them.

Accused Kuldeep Singh and Jasbir Kaur also told the complainant that the process for sending her husband abroad would be done by the present petitioner, who is a travel agent by profession. They introduced her with the present petitioner, who allured the complainant and her husband by assuring to send both of them to Canada and demanded a sum of Rs.15 lakhs for this purpose. Initially, they gave a sum of Rs.2 lakhs to accused Kuldeep Singh and Jasbir Kaur. Then an amount of Rs.1.20 lakhs was given to the petitioner on her asking. The petitioner and co-accused kept on extracting money from the complainant. The petitioner took a sum of Rs.11,76,500/- from them. She in connivance with the co-accused provided fake work permit/tickets and other documents. When the complainant asked for her money back, she was threatened by the petitioner and the co-accused. On her complaint, the aforementioned FIR was registered. Investigation proceedings were initiated. An amount of Rs.1,91,500/- was returned by the petitioner and the co-accused to the complainant but they failed to return the remaining amount. The petitioner was arrested on 26.11.2024. Investigation qua her now stands completed.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. The prosecution version is quite improbable and unnatural. No money had been handed over to her by the complainant and as per her version in the complaint itself, it was given to co-accused. There is inordinate delay in lodging of the FIR. She has been made a scapegoat. She is in custody since long. The subject offence is triable by Magistrate. Her further incarceration would not serve any useful purpose. With these broad submissions, it is urged that he deserves to be extended the

benefit of bail.

4. Status report has been filed. It is argued by learned State counsel that the allegations against the petitioner are serious in nature. She has made the complainant transferred an amount of Rs.8,06,500/- into her bank account and an amount of Rs.2.20 lakhs was also given by the petitioner to her for the purpose of sending her husband abroad. A fake job letter had been given by the petitioner to the husband of the complainant. She has criminal antecedents since as many as 12 cases of similar nature have been registered against her. She has even been convicted in one case. There are chances of petitioner's absconding or intimidating the witnesses, if extended benefit of bail. There is nothing on record to show that there would be any undue delay in conclusion of the trial. Hence, it is argued that the petition does not deserve to be allowed.

5. This Court has heard the rival submissions made by learned counsel for the parties carefully.

6. The petitioner is alleged to have connived with the co-accused and in pursuance thereof, she induced the complainant and her husband to part with a sum of Rs.11,76,500/- on the pretext that work permit and visa for Canada would be issued to them. However, fake documents are alleged to have been given by her to the complainant/her husband. The allegations against the petitioner are specific and serious in nature. She is also alleged to have received an amount of Rs.8,06,500/- by way of transfer in her bank account and Rs.2.20/- lakhs in cash. She is involved in several other cases. Though, she is shown to be acquitted in 5 cases of cheating as registered against her, still she is an under trial in 6 more cases. Keeping in view the

antecedents of the petitioner, the fact that there is nothing on record to show that there would be any undue delay in conclusion of the trial and the part attributed to her in the crime, this Court is of the considered that the petitioner does not deserve to be extended the benefit of bail at this stage.

7. Accordingly, the present petition is dismissed.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

(MANISHA BATRA)
JUDGE

28.05.2025
harjeet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No