



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

CRM-M-63550-2024
Date of decision: 15.05.2025

MONIKA SHARMA

....PETITIONER

Versus

STATE OF PUNJAB

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Kushagra Mahajan, Advocate
for the petitioner.

Mr. Jatinder Pal Singh, Sr. DAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
109	10.09.2023	420 of IPC and 13 of Punjab Travel Professionals (Regulation) Act, 2014	Division D, District Amritsar.

2. Learned counsel for the petitioner submits that in compliance to the order dated 17.12.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 17.12.2024.

3. Learned State counsel intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.

4. During the course of hearing on 17.12.2024, following order was passed:



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“ The FIR was lodged by Gurmeet Kaur wherein it is alleged that Balraj Singh owner of Visakbook.com had defrauded her and had demanded an amount of Rs.16 lakhs for sending the complainant’s son and daughter-inlaw to Canada on Study Visa. It is alleged that upon such representation having been made by Balraj Singh, she had given an amount of Rs.13.61 lakhs by various transactions on different dates in cash as well as by way of transactions through bank account to Balraj Singh as well as to his Manager. However, since the complainant’s son and daughter-in-law were not sent abroad, the complainant demanded her money back and the complainant returned back an amount of Rs.9.5 lakhs only and that remaining Rs.4.11 lakhs is yet to be paid back.

It is further alleged in the FIR that an amount of Rs.1.44 lakhs had been handed over in cash to the petitioner who is stated to be working as a Receptionist.

Learned counsel for the petitioner submits that even if all the allegations are taken to be correct, it is apparent that the petitioner was working as a receptionist only and cannot be attributed any mens rea in case the owner of the firm had defrauded the complainant. It has further been submitted that as a matter of fact a substantial amount has already been repaid. Learned counsel in this regard has drawn the attention of this Court to para No.5 of his petition wherein the details have been mentioned. Para No.5 is reproduced herein under:-

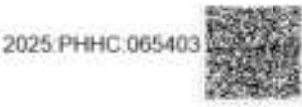
“5. That without prejudice, the petitioner submits that the complainant had paid an amount of Rs. 12,27,971 to the firm. The tabulated form of the amount received by the firm is given below:-

27.06.2019	Rs. 5,67,971/-
30.07.2019	Rs. 3,50,000/-
28.08.2019	Rs. 3,00,000/-
03.09.2019	Rs. 10,000/-

Total	Rs. 12,27,971/-
<i>That out of the amount mentioned above the firm has already returned an amount of Rs. 10,70,000/- to the complainant. The tabulated form of the amount returned back by the firm is given below:-</i>	
12.06.2019	Rs. 20,000/-
23.09.2020	Rs. 5,00,000/-
02.03.2021	Rs. 3,00,000/-
30.10.2021	Rs. 50,000/-
10.11.2021	Rs. 50,000/-
14.04.2022	Rs. 50,000/-
18.05.2022	Rs. 50,000/-
17.08.2022	Rs. 50,000/-

Total	Rs. 10,70,000
<i>The relevant account statement depicting the same is annexed herewith as Annexure P-2."</i>	
<i>It has thus been submitted that the surviving dispute is with regard to an amount of Rs.1.57 lakhs only.</i>	
<i>Notice of motion for 15.05.2025.</i>	
<i>Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 482 BNSS."</i>	

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 17.12.2024 passed by this Court, interim bail



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granted vide order dated 17.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 6. The petition stands allowed.
- 7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

15.05.2025
kanika

(SANJIV BERRY)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |