



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

**CRM-M No.803 of 2023 (O&M)
Decided on:17.02.2026**

Priya

.....Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present : Mr. Pardeep Kumar Kapila, Advocate for the petitioner.

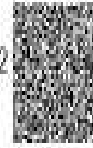
Mr. Eklavya Darshi, DAG, Punjab.

Mr. Vikasdeep Singh, Advocate
for respondents No.2 and 3.

SURYA PARTAP SINGH, J. (Oral):

Invoking the extraordinary jurisdiction vested in this Court by virtue of Section 482 Code of Criminal Procedure, this petition has been filed for quashing of FIR No.78 dated 07.07.2018, under Sections 420 IPC and Section 13 of the Punjab Travel Professional Regulation Act 2014, Police Station Talwandi Chaudrian, District Kapurthala.

2. The above mentioned FIR came into being at the instance of complainant 'Karamjit Singh' hereinafter being referred to as 'complainant' only. It was stated by the complainant that his son 'Baljeet Singh', who had stayed in Jordan for 1 ½ years wanted to settled in Canada and for the above said purpose Satinderpal Singh while representing himself to be a travel agent spoke to complainant and told that he was in touch of high level agents in Delhi who can arrange visa for his son for Canada. As per complainant, deal

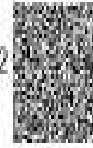


was struck for a sum of Rs.18,00,000/-. According to complainant on the call of 'Satinderpal Singh' he along with his son 'Baljeet' went to Delhi where accused 'Vijay Singh', 'Rauni' and 'Khan Sahib' met them, who sent his son 'Baljeet' to Bangkok by air. As per complainant thereafter he transferred Rs.9.2 lacs in the account of accused 'Vijay Singh' and 'Hussain Sheikh', and that the son of complainant had to return back to India from Bangkok after facing a lot of harassment. As per complainant since the above named accused failed to send son of complainant to Canada the complainant contacted them, who told the complainant that they would produce the son of complainant before the officers of American Embassy at Delhi and demanded a sum of Rs.22,00,000/-, but again they could not arrange the visa for the son of complainant.

3. The complainant further stated that in September 2017 his son was again sent to Malaysia on the pretext of visa for him for Canada and that on 17.09.2017 an additional amount of Rs.18,00,000/- was collected by the above named accused from the complainant. It was further alleged by the complainant that on that occasion also his son was not sent to Canada, rather he was returned to Chennai after brutal thrashing. By alleging that he was duped for a sum of Rs.27,20,000/- and 1 lac Canadian Dollar, action was sought by the complainant.

4. Heard.

5. It has been contended on behalf of petitioner that petitioner is innocent having no nexus, whatsoever, with the commission of crime and that the entire thrust of allegations with regard to fraud, contained in the FIR is



against four persons namely 'Satinderpal Singh', 'Vijay Singh', 'Rauni' and 'Khan Sahib' and that with 'Satinderpal' the complainant has already entered into a compromise and on the basis of compromise FIR qua co-accused 'Satinderpal' has already been quashed.

6. With regard to role attributed to the petitioner it has been contended by learned counsel for the petitioner that the only role attributed to the petitioner is that once the first attempt to send the son of complainant to Canada failed, in the office of petitioner negotiation between the parties had taken place, and there an agreement was reduced into writing which was signed by the petitioner as a witness. While claiming that the petitioner had nothing to do with the deal between the complainant and the petitioner, and that she had not received any money in the above mentioned deal, it has been claimed by the learned counsel for the petitioner that once the FIR qua main accused 'Satinderpal Singh' stands quashed, the prosecution of petitioner is nothing but an abuse of process of Court.

7. While referring to the principles of law laid down by the Hon'ble Supreme Court of India in the cases of State of Haryana Vs. Bhajan Lal, 1992 Suppl. (1) SCC 335, R.P.Kapoor Vs. State of Punjab AIR 1960 Supreme Court 866 and Gian Singh VS. State of Punjab (2012) 10 Supreme Court Cases 303, the learned counsel for the petitioners has sought for quashing of present FIR.

8. Per contra, the learned State counsel being assisted by learned counsel for the complainant has argued that the petitioner was one of the active member of the group which was responsible for committing fraud with the complainant, and that the presence of complainant at the time of agreement



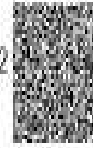
itself makes it abundantly clear that she had actively participated in convincing the complainant to strike a deal with the accused 'Satinderpal Singh' and other and pay them money. Although, the learned counsel for the private respondent has fairly conceded that there was no direct dealing with regard to payment of money by the complainant to the petitioner, yet, as per learned counsel for the private respondent, her signature on the agreement makes it abundantly clear that she was one of the party responsible for duping the complainant. While claiming that the plea of innocence being raised by the petitioner can be examined during the course of trial only, the learned State counsel being assisted by learned counsel for the complainant has sought for dismissal of present petitioner.

9. The record has been perused carefully.

10. A perusal of record shows that in the present case there are two aspects which are necessary to be taken into consideration.

11. The first one is the contents of FIR. If the contents of FIR which was founded on the statement of complainant are taken into consideration it transpires that in the initial deal, between the complainant and the travel agent 'Satinderpal Singh' there was no involvement of petitioner. In the entire FIR there is no reference qua the fact that at the time of payment at the first stage the complainant had ever met the petitioner.

12. With regard to second aspect it is relevant to note that details of the second event were reduced into writing and the copy of above mentioned writing, i.e. agreement dated 24.10.2017, is available on record. The contents of above mentioned agreement shows that this agreement was between 'Baljeet



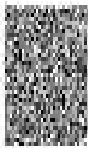
Singh' the son of complainant, as first party, and 'Ronald D. Souza', 'Vijay Singh' and 'Satinderpal' as second party. On the above mentioned agreement the petitioner was signatory only a witness, i.e. witness No.2.

13. It shall not be out of place to mention here that in the agreement dated 24.10.2017 neither there was any clause showing that any payment was made to the petitioner nor there was anything on record to show that from the above mentioned agreement any benefit had been drawn by the petitioner.

14. Another relevant fact to be taken into consideration is that as per allegations contained in the FIR the money was paid by the complainant to 'Satinderpal Singh', 'Vijay Singh' etc. and any part of above mentioned money never came into the account of petitioner. Thus, this plea of the private respondent that petitioner had a nexus with the commission of offence, has got no force.

15. It is settled principles of law that the jurisdiction vested in the Court with regard to quashing of FIR has to be exercised very sparingly, but it is also settled principle of law that for the dispensation of justice if the Court arrives at a conclusion that continuation of prosecution of a particular person, arrayed as an accused will amount to abuse of process of Court, qua that person the FIR should be quashed.

16. With regard to fact-situation of the present case the principle of law propounded by the Hon'ble Supreme Court of India in the case of 'Bhajan Lal (supra)' are applicable. It has been laid down in the above mentioned case that in the light of principles of law if the factual matrix of the present case is



analysed it transpires that the petitioner was apparently alien to the deal between the complainant and the travel agent and she was not the beneficiary of any payment made by the complainant. The another relevant factor to be taken into consideration is that qua ‘Satinderpal Singh’ with whom the deal was struck by the complainant and to whom the payment was made, the FIR has already been quashed.

17. Taking into consideration the cumulative effect of all the above mentioned factors coupled with the relevant principles of law, it is hereby held that the continuation of prosecution of petitioner would amount to miscarriage of justice and is an abuse of process of Court. Thus finding merit in the present petition the same is hereby allowed and the FIR in question, vis-a-vis subsequent proceedings qua the petitioner are hereby quashed.

18. Pending miscellaneous application(s), if any, also stands disposed of.

(SURYA PARTAP SINGH)
JUDGE

17.02.2026
Manoj Bhutani

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