

BA2463 Manjit Kaur & Anr.Vs.State
(CNR No.PBHO010075722023)

Present: Sh.MS Ghuman, Advocate counsel for the bail applicants/accused
Sh.Pawanpreet Singh, Addl.Public Prosecutor for the respondent
State.

This application under Section 439 of the Code of Criminal Procedure for grant of regular bail was filed by bail applicants/accused Manjit Kaur and Karnail Singh on 11.09.2023. Upon notice, respondent State appeared and contested the bail application. Police record has been produced by ASI Mohinder Singh.

Arguments heard. Record perused. In this case, FIR No.200 dated 25.07.20923, under Section 406, 420, 201 of Indian Penal Code and Section 24 of the Immigration Act, Police Station Tanda, District Hoshiarpur, has been registered on the basis of application filed by complainant Paramdeep Kaur on 10.07.2023 on the allegations that accused Travel Agent Manjit Kaur and her husband Karnail Singh cheated her to the tune of ₹Eight Lakh on the promise of sending her abroad and now they are threatening her with death. It was alleged that the accused promised to send the complainant to the USA on payment of ₹25 Lakh. They received ₹Eight Lakh on 8.02.2018. Remaining amount of ₹17 Lakh was to be paid on grant of visa. They neither sent her to the USA nor returned her amount despite convening of Panchayats. When she demanded her amount from the bail applicants/accused, they threatened her with death. They have cheated some other persons also and are now trying to fled away to Canada.

Inquiry into the allegations was conducted. During inquiry, it was found that a cheque dated 24.05.2023 for ₹Five Lakh was issued by Manjit

Kaur in favour of the complainant from his account at UCO Bank and another blank cheque was also issued by her. On presentation with the drawee bank, the cheque was dis-honoured. A compromise was also executed between them, but the same was not complied with the accused. They did not join inquiry proceedings also.

After registration of the formal FIR, investigation of the case is being conducted. During investigation, the accused were arrested on 25.08.2023.

Through the present application, regular bail has been sought by the bail applicants/accused on the grounds that false allegations have been levelled against them; the alleged dispute is of Civil nature; completion of investigation will take sufficient time and no useful purpose will be served by keeping them in custody. However, these allegations have been denied by the respondent State.

Perusal of police record reveals that as per the allegations the bail applicants/accused induced the complainant to give Rs.Eight Lakh to them on the pretext to send her to the USA. But neither she was sent to the USA nor her amount was returned despite her repeated requests. Cheque of ₹Five Lakh issued in favour of the complainant by the bail applicant/accused Manjit Kaur has been dis-honoured. Another blank cheque issued by her is lying with the complainant. A compromise was also stated to be executed between the parties, which has not been complied with. There is nothing in the police record showing that the complainant has availed any legal remedy on the basis of abovesaid cheques and the agreement. Completion of investigation and presentation of challan will take sufficient long time. No

useful purpose will be served by keeping the bail applicants/accused in custody for long time. Case is triable by Judicial Magistrate Ist Class. Therefore, without commenting on the merits of the case, the bail applicants/accused are ordered to be released on bail on their furnishing personal bond in the sum of ₹One Lakh with one surety of the like amount each to the satisfaction of the Learned Area/Duty Magistrate. Police record be returned forthwith. This file be consigned to the record room.

Pronounced in open court on:
14.09.2023
Suresh Sood, Stenographer

(Dilbagh Singh Johal)
Sessions Judge, Hoshiarpur.
(UID No.PB0069)