

**IN THE COURT OF NARENDER,
ADDITIONAL SESSIONS JUDGE, CHANDIGARH.
(UID No.HR 0142)**

Bail Application No. 1462 of 2023.
Date of Instt. : 11.09.2023
CNR No. CHCH010067332023.
Date of order : 14.09.2023.

Shalu Rani, Aged about 25 years w/o S. Balkaran Singh, r/o Ward No.1,
Khatik Mohalla, Ellenabad, District Sirsa, Permanent address: VPO Moosli
(108), Tehsil Ellenabad, District Sirsa (Aadhaar No.2107 8656 7593).
(Now confined at Model Jail, Chandigarh)

.....Applicant.

Versus

State of U.T. Chandigarh.

.....Respondent.

2Nd Bail Application under Section 439 Cr.P.C.

Present: Sh.D.S. Virk, Advocate for applicant-accused
Sh.Atul Sethi, PP for State.

ORDER:

Vide this order, I shall dispose of application for regular bail moved by applicant in case FIR No.95 dated 22.05.2023 U/s 420, 120-B IPC and 24 of the Immigration Act (Section 467, 468, & 471 IPC added later on) registered at PS-39, Chandigarh.

2. FIR detailed above was registered on the complaint of Gurdeep Singh Grewal r/o Ward No.4, Morinda, Distt. Rupnagar against Karan Sharma and Preeti (applicant Shalu Rani) the owner/proprietor of Planet Visa Solution, SCO No.393, 2nd Floor, sector 37-D, Chandigarh

regarding fraud and cheating in which he reported that Karan Sharma and Preeti cheated him to the tune of ₹10 lacs to provide visa for Canada along with air ticket from Delhi. These documents were found fake.

3. During the investigation, the applicant-accused was arrested on 23.05.2023 and she has been in custody since then. Her first bail application was dismissed by this Court on 11.8.2023.

4. Police reply filed and perused.

5. Learned counsel for the applicant-accused and learned Public Prosecutor for the State have been heard and gone through the file very carefully.

6. It was argued by learned counsel for the applicant that the applicant is in custody since the date of her arrest. No useful purpose would be served by keeping her in judicial custody for any longer period. She has been falsely implicated in this case for no fault on her part. She was just an employee in the Immigration Company. Further, there has been a change of circumstances since the decision of earlier application as challan has since been filed. Trial of the case will take long time to conclude. Lastly, it was requested to allow the application in hand.

7. On the other hand, the application in hand was vehemently opposed by Id.PP on the ground of gravity of offence. He argued that the applicant was in close association with the main accused Vipin @ Karan

Sharma. Another accused Nitin is yet to be arrested. Mere filing the challan does not amount to change of circumstances.

8. Without commenting anything on the merits of the case, it is the settled law that mere long custody does not make the accused entitled to be given concession of bail. Further more, this is a serious offence related to cheating and forgery. The allegations are with regard to huge amount taken on part of the applicant and co-accused for providing visa for him for Canada. Another accused Nitin is yet to be arrested. This Court has found force in the submissions of Id.PP where he has argued that mere filing of the challan does not amount to change of circumstances. Investigation qua accused Nitin is still pending as per Id.PP. That being so, this Court has not found any good ground to allow the application in hand and the same is dismissed. File after due compliance be consigned to the records.

Pronounced in open Court.

(Narender)
Additional Sessions Judge,
Chandigarh 14.09.2023.
(UID No.HR 0142)

Note:All the three pages of this order have been checked and signed by me.

Sanjeev Dogra

(Narender)
Additional Sessions Judge,
Chandigarh 14.9.2023.

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Present: Sh.D.S. Virk, Advocate for applicant-accused
Sh.Atul Sethi, PP for State assisted by ASI Ajesh Kumar IO.

Reply filed. Copy supplied. As per the contents of the reply, it is the second bail application moved on behalf of the applicant-accused. A similar report has been given by the Ahlmad regarding this being the second bail application of the applicant-accused. Ahlamd has further verified this fact from the website of the Hon'ble High Court that no bail application is filed by the applicant there. Accordingly, arguments have been heard.

Order pronounced.

Vide my separate detailed order of even date, present bail application has been dismissed. File be consigned to the record room after due compliance.

Pronounced:
14.09.2023

(Narender)
Additional Sessions Judge,
Chandigarh
UID No.HR0142