

**IN THE COURT OF VIKRANT KUMAR,
ADDITIONAL SESSIONS JUDGE,
MOGA (UID No.PB00213).**

CNR No.PBMO010042262023
CIS Filing No.BA/1577/2023.
Date of order : 1.09.2023.

State	Versus	Sukhwinder Kaur wife of Lukhdeep Singh daughter of Malkiat Singh, resident of Near Gurdwara Sahib, Bhagike, Tehsil Nihal Singh Wala, District Moga.
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---Accused-applicant

FIR No.46 dated 8.06.2023
Under Sections :- 420 IPC
Police Station :- Sadar Moga

Bail Application under Section 438 Cr.P.C.

Present :- Shri Sukhwinder Singh Sidhu, Advocate for accused-applicant.
Shri Sahib Singh, Additional Public Prosecutor for State.

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ORDER

1. The brief facts of the case, which require consideration for disposal of the present bail application are that present FIR has been lodged on the basis of complaint moved by Manpreet Singh son of Veer Singh addressed to Senior Superintendent of Police, Moga. It is alleged in the complaint that he is resident of Villasge Mangewala, District Moga. Sukhwinder Kaur daughter of Malkiat Singh and Naseeb Kaur weife of Malkiat Singh have committed cheating with his relative on the pretext of getting him employment. He has earlier moved a complaint bearing No.66-5-PC/EO Wing dated 28.09.2022 to Economic Offences Wing, Moga and during enquiry of that complaint, accused Sukhwinder Kaur agreed to return the amount in instalments of Rs.50,000/- each. She only paid instalment of Rs.20,000/- and thereafter she refused to pay the remaining amount. They have also committed cheating with other persons. Thus, previous complaint be again re-enquired and justice be done to him and money be got refunded to him.

2. Said complaint was marked to ASI Sukhwinder Singh, incharge, Economic Offences Wing, Moga. He recorded the statement of complainant and his witnesses. On the basis of Sukhwinder Kaur, her husband Luckdeep

Singh appeared on 21.02.2023 and promised to produce his wife Sukhwinder Kaur by 4.03.2023 in view of compromise effected earlier. Thus, Incharge, Economic Offence Wing found that a deal was struck at Rs.4,50,000/- and the accused received Rs.2,90,000/- on different dates in her account. On 24.09.2022, the accused has effected compromise and after returning Rs.20,000/-, she resiled from it. On the basis of report of Economic Offence Wing and after taking legal opinion, present FIR was registered. Now apprehending his arrest, applicant-accused has filed present pre-arrest bail application.

3. Learned counsel for accused-applicant has submitted that accused-applicant has been falsely implicated in the present case. She has no concern or connection with the alleged offence. As such, custodial interrogation of accused-applicant is not required. He has prayed for grant of pre-arrest bail.

4. On the other hand, learned Additional Public Prosecutor for State has argued that allegations against the accused-applicant are serious in nature. Thus custodial interrogation of accused-applicant is required and prayed for dismissal of bail application.

5. I have heard learned counsel for accused-applicant as well as learned Additional Public Prosecutor and have gone through the record.

6. From perusal of FIR, there are allegations against accused-applicant that she committed cheating of Rs.2,90,000/- with the complainant on the pretext of getting employment to his relative. During enquiry, it surfaced that after effecting compromise, she returned only Rs.20,000/- and did not return the remaining amount. This Court is of the view that the accused-applicant has committed fraud of Rs.2,70,000/-. Allegations against accused-applicant are serious. To know about the modus-operandi, custodial interrogation of accused-applicant is required. Thus, in view of the seriousness of the offence, no ground is made-out to grant anticipatory bail to the accused-applicant. As such, present bail application stands dismissed. File be consigned to record room.

Pronounced.

Dated :- 1.09.2023.

Jagjit Singh Panesar, Stenographer-I

(Vikrant Kumar)

Additional Sessions Judge,

Moga (UID No.PB00213).