

2025:PHHC:018176



102.

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

CRM-M-4573-2025

Date of decision: 06.02.2025

Parveen

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Karan Bhandari, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of anticipatory bail, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in case FIR No.0164, dated 31.07.2024, under Sections 406, 420 of IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Sadar, District Jalandhar.

Learned counsel for the petitioner, while advancing arguments, has vehemently contended that the petitioner has been falsely implicated in the present case. It is submitted that the allegations pertained to the purported duping of the complainant of a sum of Rs.22 lakhs on the pretext of facilitating the migration of his son abroad. Learned counsel has drawn the attention of this Court to the FIR (Annexure P-1) to substantiate his plea of false implication, particularly emphasizing the inordinate delay of more

than 02 years in the registration of the FIR, which according to him raises serious doubt on the veracity of the allegations.

It is further argued that, in any case, the son of the complainant has already travelled to the United States, thereby undermining the case of the complainant. Additionally, learned counsel submits that there is no cogent evidence, documentary or otherwise, to prove the alleged payment of Rs.22 lakhs to the petitioner. A prayer has, therefore, been made to extend the concession of anticipatory bail, as custodial interrogation of the petitioner would not be necessitated.

Notice of motion.

On the asking of the Court, Mr. H.S.Deol, Senior DAG, Punjab, accepts notice on behalf of respondent-State. Learned State counsel, on instructions from the Investigating Officer, has vehemently opposed the prayer made by the counsel opposite. It is submitted that the allegations against the petitioner are serious and specific, as he is accused of defrauding the complainant of a huge sum of money under the pretext of facilitating his son's departure to foreign country. Learned State counsel further submits that the petitioner is a habitual offender and has been involved in multiple cases of similar nature, wherein innocent individuals have been duped of huge amounts of money.

I have heard learned counsel for the parties and perused the material placed on record.

There are prima facie and specific allegations against the petitioner, alleging that he defrauded the complainant of a sum exceeding Rs.22 lakhs. The gravity of the allegations is further compounded by the assertion made by the learned State counsel that the petitioner has a history of criminal involvement in similar cases.

While the petitioner has sought to challenge the credibility of the allegations by highlighting the delay in the registration of the FIR, the mere factor of delay, in itself, does not *ipso facto* negate the allegations levelled in the FIR, particularly in matters of financial fraud where victims may not immediately approach the police due to various personal or procedural constraints.

Given the seriousness of the allegations coupled with the alleged criminal antecedents of the petitioner, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail.

Present petition stands dismissed accordingly.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 06, 2025

sanjeev

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