IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M-10886-2015
Date of decision: 7.8.2015

Paramjit Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: **HON'BLE MR. JUSTICE RAJAN GUPTA**

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.
Ms. Rajni Gupta, Addl. Advocate General, Punjab.
Mr. A.S. Khinda, Advocate for the complainant.

<u>Rajan Gupta, J.</u>

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 420, 406, 467, 468, 471, 120-B IPC at Police Station Kapurthala City, District Kapurthala, vide FIR No.147 dated 24.5.2014.

Learned counsel for the petitioner submits that petitioner has been implicated falsely in the case being brother-in-law of accused Sukhwinder Singh against whom allegations of cheating etc. have been levelled by the complainant. Thus, petitioner deserves to be granted concession of pre-arrest bail.

Prayer has been opposed by learned State counsel as well as counsel for the complainant on the ground that crores of rupees were transferred to Falcon Impex Company of the accused from Ikaumlmpex Company in conspiracy with accused Sukhwinder Singh and when fraud was detected, accused Paramjit Singh (petitioner herein) in discharge of liability, issued two cheques in the sum of Rs.2.00 crores each, but same were dishonoured. Recovery of money as well as documents are to be effected from the petitioner. Thus, his custodial interrogation is required for taking the investigation to its logical end.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was lodged by one Sonia Bawa who alleged that Sukhwinder Singh developed friendly relations with her and approached her to invest in his business of imports to fetch good returns. Consequently, a firm in the name and style of M/s Ikaumlmpex was floated to deal in scrap material and accused got sanctioned the limits from bank in lieu of ancestral as well as personal property of husband of the complainant. All imports were sold on high sea basis. Initially there was no default or loss, but subsequently officials of State Bank of India, Chandigarh informed the complainant that huge outstanding of over 6/7 crores have been devolved upon in account against buyers credit. The complainant was shocked when she came to know that terms of several transactions against letters of credit were modified by accused Sukhwinder Singh. He admitted to have diverted/siphoned payments through camouflage operandi of routing by other account in connivance with the bank officials. Thereafter, Sukhwinder Singh, Amanjit Kaur and Karnail Singh promised to deposit Rs.2.00 crores by 24.4.2014, but when complainant tried to meet them, their premises were found locked. During investigation it was revealed that aforesaid Sukhwinder Singh operated the bank accounts alone with dishonest intention on the basis of forged documents in connivance with his wife Amanjit Kaur, father Karnail Singh and one relative i.e. petitioner Paramjit Singh and thereafter fabricated an addendum to partnership deed dated 7.10.2011 of Impex Company and incorporated himself to be partner to the extent of 80% and Sonia Bawa to be of 20% and obtained a loan of Rs.66.00 lacs from Kotak Mohindra Bank, Jalandhar on the basis of said forged documents.

Keeping in view nature of allegations, petitioner is not entitled to concession of pre-arrest bail. He had active participation in the crime. Petitioner in discharge of his liability, issued two cheques of Rs.2.00 crores each which were dishonoured. His custodial interrogation may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

7.8.2015
'Rajpal'