

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

**Crl. Misc. No.M-11402 of 2014 (O&M)
Date of decision : 25.08.2015**

Girdhari Lal @ Gurdhari Lal

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. S.K. Chaudhary, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG, Punjab.

Mr. Munish Puri, Advocate
for the complainant.

ANITA CHAUDHRY, J.

CRM-27424-2015

For the reasons set out in the application, same is allowed
and documents Annexures P-9 and P-10 are taken on record.

Main Petition

The petitioner is seeking anticipatory bail in FIR No.21
dated 15.02.2014, registered under Section 420, 120-B IPC, Police
Station Division No.2, District Pathankot.

The matter had been adjourned a number of times to
enable the petitioner to file documents. Admittedly, he is Director in
M/s. Kabir Marketing Pvt. Ltd.

The allegations made against the petitioner are that he duped the complainant Avtar Singh and three other persons and took Rs.25,000/- to Rs.30,000/- on the pretext of getting them recruited as Supervisors in Telecom Companies and that they would be imparted training. The allegations were that subsequently they were made to sell house-hold articles.

The State counsel informs that some more complaints have been received against the petitioner. He also informs that the complaint made by the petitioner has been found to be false and proceedings under Section 182 Cr.P.C. have been initiated.

Counsel for the petitioner states that they have challenged the proceedings initiated under Section 182 Cr.P.C.

The allegations against the petitioner are serious. There are several complaints. Custodial interrogation would be necessary to unearth the fraud. The complainant side has stated that the alleged recruitment is still going on and there is one office in Delhi.

Section 438 Cr.P.C. is an extra ordinary remedy and protection can be granted only considering the allegations, material and the facts of a given case. It would be difficult to carry out the investigation and it is necessary to curtail his freedom to enable the Investigators to proceed. No fetters can be placed upon the Investigators.

The petition is dismissed.

25.08.2015
sunil

(ANITA CHAUDHRY)
JUDGE