

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

CRM-M-17777 of 2015(O&M)

Date of Decision: 02.07.2015

Sahib Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. J.S. Bhandohal, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

SNEH PRASHAR, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of anticipatory bail to the petitioner in case First Information Report No.151 dated 14.10.2014 under Section 420 of the Indian Penal Code (for short 'IPC) registered at Police Station Kotwali Nabha, District Patiala.

2. The accusation against the petitioner is that he alluring the complainant of sending his son Manpreet Singh abroad had taken an amount of Rs.14 lacs from him which was paid by the complainant by selling his property for an amount of Rs.7 lacs and by borrowing Rs.2,50,000/- from his sister-in-law and Rs. 2 lacs from one Jaspal Singh s/o Jagir Singh resident of Nabha. The petitioner arranged tourist

visa for Manpreet Singh and sent him to Italy and thereafter never

bothered to honour his promise of getting him settled permanently. After facing harassment for three months he returned to India.

The complainant stated that he had been cheated by the petitioner and his son had become mentally sick because of the same.

3. Heard the submissions made by Mr. J.S. Bhandohal, Advocate representing the petitioner and Mr. Ashish Sanghi, DAG, Punjab representing State.

4. Learned counsel for the petitioner submitted that the money if any was paid by the complainant to a travel agent. The petitioner is a close relative of the complainant, who also alongwith son of the complainant was trying to go abroad. Due to some settlement with the travel agent the complainant after almost 5 years had got a false case registered against him.

5. The prayer was opposed by learned State counsel submitting that the money of the complainant is to be recovered.

6. The allegation of the complainant against the petitioner was in the First Information Report was specific and serious. He stated that he had paid the money by selling his property and by placing himself in debt. As submitted by learned State counsel the huge money paid to the petitioner is to be recovered. Moreso, it is a case of human trafficking which needs to be interrogated thoroughly and for the same custodial interrogation of the petitioner is essential.

7. Considering the facts and circumstances of the case and there being specific allegations against the petitioner, in my considered

opinion, no case for grant of anticipatory bail to the petitioner is made out and the petition is hereby dismissed.

July 02, 2015
rashmi

(SNEH PRASHAR)
JUDGE