IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17841 of 2015
Date of Decision : 28.05.2015

Surinder Bali ....Petitioner

Versus

State of Punjab .....Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

1. *Whether Reporters of the local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the digest?*

Present: Mr. Gurinderjit Singh, Advocate
for the petitioner.

R.P. NAGRATH, J.

Prayer is made by the petitioner for grant of anticipatory bail under Section 438 Cr.P.C. in FIR No. 67 dated 14.04.2015 for offence under Section 420 of Indian Penal Code (IPC), registered at Police Station Sarabha Nagar, Ludhiana City, District Ludhiana.

Learned counsel for the petitioner submitted that the story is concocted and the allegations are totally false. It is further submitted that there was allegation with regard to opening of the joint account with the lady Sonia thereby deceiving the complainant to part with some amount but the joint account was already opened in the year 2009.

I have heard learned counsel for the petitioner and perused the paper-book.

The allegations against the petitioner and Ajay Verma, co-accused/non-applicant, the travel agent is that they have deceived the complainant for an amount of ₹ 25 lacs with a promise to send his son to Canada by managing the marriage ceremony with a lady Sonia.

The complaint was made to the police on 11.08.2014 upon which enquiry was conducted by Assistant Commissioner of Police, Economic Wing, Ludhiana. The complainant went to Ajay Verma in his office of the travel agency to consult with regard to sending his son abroad. Ajay Verma introduced him to the petitioner who promised him to send his son abroad after performing marriage with some girl and demanded ₹ 25 lacs for the work.

On 13.05.2009, the complainant paid an amount of ₹ 1.5 lac and another amount of ₹ 2,48,000/- by way of cheque on 24.07.2009. He paid another sum of ₹ 5 lacs on 24.02.2010 by withdrawing from the account number mentioned in the FIR. The petitioner got the photographs of Harpreet Singh son of the complainant and the girl, namely; Sonia. Then on different dates the complainant paid various amount to the petitioner and total amount thus paid was ₹ 25 lacs. As per enquiry report, the petitioner also cheated Sonia aforesaid. Sonia was called during the enquiry and she appeared alongwith her brother. It was found that the petitioner had even cheated Sonia by accepting ₹ 1.5 lac from her brother and obtained her passport. Petitioner, thereafter, returned the passport and money to the brother of Sonia.

These allegations against the petitioner are very serious and the petitioner does not deserve the concession of pre-arrest bail. The FIR was registered after about 8 months of filing of the complaint which was thoroughly enquired into. The travel agent committing this nature of cheating to the persons who are seeking a greener posture abroad is a matter to be seriously viewed.

Learned counsel for the petitioner submitted that there is no documentary proof of the amount having been paid to the petitioner by the complainant but that matter was verified by holding an enquiry at the highest level of the Economic Wing.

There is no extraordinary ground to extend the benefit of pre-arrest bail to the petitioner. The instant petition is, therefore, dismissed.

May 28, 2015 **(R.P. NAGRATH)**
jk **JUDGE**