

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

CRM M-25616 of 2015

Date of decision :14.09.2015

Amandeep Kamboj

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.S. Rai, Sr. Advocate with
Mr. Gautam Dutt, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under sections 420, 467, 468, 471, 506 & 120-B IPC vide FIR No. 82 dated 16.07.2015 at Police Station City Fazilka, district Fazilka.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. According to him, several false cases have been registered by the police against the petitioner at different police stations. He submits that petitioner has never received any alleged amount from the complainant. It being a case of false implication, petitioner deserves the concession of pre-arrest bail.

Learned State counsel has opposed the plea. Referring to para 4 of the reply filed by way of affidavit of Swapan Sharma, Senior Superintendent of Police, Fazilka, she submits that petitioner in connivance with other accused cheated the complainant of ₹33.00 lacs. Thereafter, petitioner compromised the matter and issued cheques in favour of the complainant which were found to be fake

and fabricated. She submits that petitioner is involved in number of FIRs and matter is now being investigated by the Special Investigation Team fairly and properly.

I have heard learned counsel for the parties.

Brief factual background of the case is that FIR was got registered on the basis of statement of Gagandeep Kaur. She alleged that petitioner on the pretext of having relation with Chief Minister, Punjab and other higher police officers allured Kulwinder Kaur, friend of complainant, with the promise of getting her a job of Sub Inspector in the Punjab Police. For this purpose, he demanded ₹25 lacs. In the presence of complainant, who stood as guarantor, an amount of ₹13 lacs was given to the petitioner. Thereafter, Kulwinder Kaur filed online application for the said post. Meanwhile, petitioner induced the complainant to purchase a plot of 10 marlas at Mohali which was in his name and received ₹20 lacs from her. Thereafter, petitioner neither executed any sale-deed nor returned the amount which necessitated the complainant to lodge instant FIR. Investigation ensued. Stand of the investigating agency is that custodial interrogation of the petitioner is required. It appears that Special Investigation Team has also been constituted in this case. Allegations leveled in the FIR are serious and matter requires a through probe. I am, thus, of the considered view that petitioner is not entitled to discretionary relief of anticipatory bail. Under the circumstances, petition is dismissed being without any merit. Dismissed.

September 14, 2015

Ajay

(RAJAN GUPTA)
JUDGE