

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

CRM No.M-27551 of 2015 (O&M)

Date of decision: 08.10.2015

Surinder Pal @ Soni

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Avtar Singh

Mr. D. Hasija, Advocate for the VMAKE Visas Pvt. Ltd.

JITENDRA CHAUHAN, J. (Oral)

CRM No.27147 of 2015

CM is allowed and Annexure P-7 is taken on record.

Main Case

By way of the present petition filed under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.16, dated 17.02.2015, registered under Section 420 of the Indian Penal Code (for short 'the IPC') at Police Station Goindwal Sahib, District Tarn Taran.

The learned counsel, inter alia, contends that the petitioner has been falsely implicated in the present case. After reading the

advertisement in the Newspaper, complainant had contacted the petitioner for sending his son abroad and the son of the complainant went to Macau on tourist permit. However, he returned back to India as he could not get a suitable job there.

The learned counsel for the VMAKE Visas Pvt. Ltd company submits that the petitioner was neither the employee of the company nor was concerned in any manner with the work of the company and the alleged advertisement vide which the complainant contacted the petitioner had been published by the petitioner. The petitioner had earlier also roped the said company in two FIRs, wherein, the inquiry against the company stands closed. The petitioner had referred the case of the son of the complainant for the purpose of processing his tourist visa for Macau which costs amounting to Rs.3,30,000/- and original agreement dated 16.03.2014 along with the return Air ticket are hereby annexed with the aforesaid reply as Annexure-4 and 5.

On the other hand, the learned State counsel states that the petitioner had cheated the complainant to the tune of Rs.6,00,000/- for sending his son abroad under Permanent Resident Policy. Therefore, the petitioner is not entitled for bail.

I have heard the learned counsel for the parties and perused the record with their able assistance.

The complainant had approached to the petitioner in response to the advertisement, carried out by him, for sending his son abroad. The petitioner had referred the case of the son of the complainant

to VMAKE Visas Pvt. Ltd. company which has stated that the company had no concern with the petitioner. As per the reply of the said company, the agreement was executed for sending the son of the complainant to Macau on tourist permit against which an amount of Rs. 3,30,000/- was charged, whereas the petitioner had taken Rs.6,00,000/- from the complainant for the said purpose without disclosing him that his son was being send on tourist permit. Therefore, this Court feels that no case for bail is made out in favour of the petitioner at this stage.

Dismissed.

Nothing expressed hereinabove would be taken to be an opinion on merits of the case.

08.10.2015

ashok

(JITENDRA CHAUHAN)
JUDGE