

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

CRM-M-29929-2015

Date of decision: 4.9.2015

Sunil Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sarju Puri, Advocate for the petitioner.

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 406 & 420 IPC at Police Station City SBS Nagar, District SBS Nagar, vide FIR No.125 dated 24.07.2015.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. He submits that petitioner neither promised the complainant to send him to New Zealand nor took any money for the said purpose. Thus, petitioner deserves the concession of pre-arrest bail.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

FIR was lodged by complainant Gaurav Bhaseen alleging that Roop Lal and Sunil Kumar (petitioner herein) had played a fraud upon him and induced him to pay Rs.10.00 lacs on the false assurance of

sending him to New Zealand. Initially, he handed over his passport alongwith Rs.3.00 lacs and on receipt of papers from New Zealand, the accused persons took Rs.7.00 lacs from him and assured that they would send him within two months. Thereafter, the accused started delaying the matter. When complainant demanded his money back, accused gave him a cheque dated 1.1.2015 for an amount of Rs.11,23,000/- as a guarantee but the said cheque was dishonoured due to insufficient funds.

Keeping in view nature of allegations, petitioner is not entitled to concession of pre-arrest bail. His custodial interrogation may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

4.9.2015
'Rajpal'