

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-31395 of 2015
Date of decision : 15.12.2015

Davinder Singh @ Ricky

..... Petitioner

versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ankur Mittal, Advocate
for the petitioner

Mr. Deep Singh, AAG Punjab

Mr. Damandeep Singh, Advocate
for respondents No. 2 and 3

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 77 dated 14.05.2015 registered at Police Station City SBS Nagar, District SBS Nagar under Sections 406/420 IPC.

A complaint was given by Gurnek and Paramjit Singh naming the petitioner and some more persons who had promised to send Bahadur Singh and Vijay Kumar to Australia. A sum of Rs. 19,50,000/- was paid to the Agents but neither Bahadur Singh nor Vijay Kumar was sent abroad. The complainant asked for their money back which was not returned.

Learned counsel for the petitioner contends that a compromise was effected and he refers to Annexure P-2 and urges that this is signed by Gagandeep Singh @ Gavy and it refers to the fact that amount was handed over to Gavy and the entire responsibility of payment was that of Gavy Sandhu and he was to only pay the remaining amount and otherwise some amount was paid

in cash and the major amount was to be paid by other persons. He then refers to Annexure P-3 and states that according to this compromise the petitioner had already paid Rs. 3 lacs and the petitioner has joined the investigation.

Learned counsel for the complainant as well as State have opposed the application and it was urged that application filed by Gavy had been dismissed but Gavy has again filed an application which is fixed for 22.12.2015.

Learned counsel for the complainant states that complainants are present in the Court and no compromise has been signed by them nor any amount had been received.

Learned State counsel submits that money has not been recovered yet and there is one more case with similar allegations against the accused.

The allegations are grave and custodial interrogation would be necessary. Cases like this in Punjab are on the rise. Innocent people are robbed of their well earned money. The discretion of anticipatory bail can not be exercised in favour of the petitioner.

The petition is dismissed.

December 15, 2015

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**(ANITA CHAUDHRY)
JUDGE**