

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

CRM-M-42986-2015

Date of decision: December 24, 2015

Amandeep Kamboj

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rajesh Kumar Girdhar, Advocate for the petitioner.
Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J.(oral)

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 at Police Station City, Fazilka, District Fazilka, vide FIR No.82 dated 16.7.2015.

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 false cases have been registered by the police against the petitioner. According to him, petitioner never received the alleged amount from the complainant. Moreover, a compromise has been arrived at between the petitioner and the complainant. Thus, petitioner deserves concession of pre-arrest bail.

Before issuing notice of motion, this court had sought assistance of the State counsel. He has opposed the plea. He submits that petitioner in connivance with other accused cheated the complainant of Rs.33.00 lacs. Thereafter, petitioner compromised the matter and issued

cheques in favour of the complainant, which were found to be fake and fabricated. He submits that petitioner, who is involved in six more cases, has been declared as proclaimed offender on 23.10.2015.

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

Brief factual background of the case is that FIR was got registered on the basis of statement of Gagandeep Kaur. She alleged that petitioner claiming that he had relations with Chief Minister, Punjab and other higher police officers allured Kulwinder Kaur, friend of complainant and promised that she would get a job of Sub Inspector in the Punjab Police. For this purpose, he demanded Rs.25.00 lacs. In the presence of complainant, who stood as guarantor, an amount of Rs.13.00 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 Rs.20.00 lacs from her. Thereafter, petitioner neither executed any sale deed nor returned the amount which necessitated the complainant to lodge instant FIR. 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.

Keeping in view the serious allegations against the petitioner and co-accused, I am of the considered view that petitioner is not entitled to concession of pre-arrest bail. The allegations levelled in the FIR are serious and matter requires a thorough probe. Earlier petition filed by the petitioner for grant of pre-arrest bail was dismissed by this court on

14.9.2015. Custodial interrogation of the petitioner may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

December 24, 2015
'Rajpal'