

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-43799 of 2014

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Date of decision:16.1.2015

Gagandeep Singh

...Petitioner

v.

State of Punjab

...Respondent

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

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Present: Mr. Satya Pal Jain, Senior Advocate with Mr. Roopansh Purohit, Advocate for the petitioner.

Mr. S.S. Chandumajra, Deputy Advocate General, Punjab for the respondent-State.

Mr. M.L. Saggar, Senior Advocate with Mr. Sunny Saggar, Advocate for the complainant.

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**Inderjit Singh, J.**

This petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case FIR No.109 dated 7.5.2014 registered at Police Station City Khanna, District Ludhiana for the offences under Sections 420 and 120-B IPC.

Notice of motion has been issued in this case.

Mr. S.S. Chandumajra, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. M.L. Saggar, learned Senior Advocate assisted by Mr. Sunny Saggar,

Advocate has appeared for the complainant and contested this petition.

I have heard learned senior counsel for the petitioner as well as learned Deputy Advocate General, Punjab appearing for the respondent-State and learned senior counsel for the complainant and have gone through the record.

First of all, this is a second petition filed under Section 438 Cr.P.C. by the petitioner for grant of anticipatory bail. The first petition under Section 438 Cr.P.C. has already been dismissed by this Court vide order dated 5.6.2014 on merit.

As per the prosecution version, the FIR was registered on the statement of Bhagwant Singh. The complainant has alleged that he has friendly relations with Ranjit Singh and Gurdeep Singh. It is also stated that accused Gurdeep Singh also assured that money will be properly utilized in specific investment. There is specific allegation of criminal conspiracy hatched by Ranjit Singh, Gagandeep Singh and Gurdeep Singh and in that conspiracy ₹2,13,00,000/- were obtained from the complainant.

At the time of arguments, learned senior counsel for the complainant and learned Deputy Advocate General, Punjab stated that during the investigation, it was found that the amount has been transferred from the account of Ranjit Singh to the account of Gagandeep Singh present petitioner and co-accused Ashutosh Negi.

Learned senior counsel for the petitioner against the order dated 5.6.2014 passed by this Court went to the Supreme Court and he got

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withdrawn his petition for anticipatory bail and the same was dismissed as withdrawn. There, the learned senior counsel made a statement that he will move fresh application for anticipatory bail before the High Court along with some additional documents. Learned senior counsel for the petitioner has relied upon mutual agreement (Annexure-P.1) and legal notice given by the Advocate of Gagandeep Singh (Annexure-P.2).

From the record, I find that the petitioner is named in the FIR and the ground as made in this anticipatory bail petition has already been decided by this Court on merit. The allegation of criminal conspiracy is also alleged against him, therefore, he is required for custodial interrogation.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offences, the present petitioner is required for custodial interrogation. Therefore, I do not find it a fit case where the petitioner is entitled for the benefit of grant of anticipatory bail.

Therefore, finding no merit in this petition, the same is dismissed.

January 16, 2015.

**(Inderjit Singh)**  
**Judge**

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