

201.

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

CRM-M-13538-2016

Date of decision:06.12.2016

Sonu Singh

... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Nand Lal Sammi, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Fariad Singh Virk, Advocate,
for the complainant.

HARI PAL VERMA, J.

Prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.36 dated 08.03.2016 under Sections 420, 120-B IPC, registered at Police Station Sambhu, District Patiala.

Learned counsel for the petitioner states that as per allegation made in the FIR, the matter in issue is purely civil in nature and the allegation that the petitioner along with his father and one Sukhwinder Singh have committed fraud in May 2014 by taking money for sending the complainant as well as two other boys, namely, Jasvir Singh and Ranjit Singh abroad, is false. He further states that the complainants have submitted an affidavit dated 01.07.2014 that they have no outstanding amount against the petitioner and there is no dispute between them. He further states that the enquiry conducted by DSP is without any meaning

Learned counsel for the complainant and State counsel have argued on the basis of reply as submitted by the State. As per reply filed by way of affidavit of Pritpal Singh, PPS, Deputy Superintendent of Police, Circle Ghanaur, District Patiala, on behalf of respondent-State of Punjab, the aforesaid FIR No.36 was registered on the basis of complaint given by Jasvir Singh son of Sher Singh, resident of New Mehmampur, alleging therein that in the Month of May 2014, petitioner-Sonu Singh, his father-Budh Singh and one Sukhwinder Singh @ Sonu had met the complainant. Petitioner told the complainant that he had good relations with foreign travel agents and had got several persons settled in foreign countries and he could ensure settlement of any person in a foreign country. Petitioner further told the complainant that he could send him to Australia. Believing it to be correct, the complainant agreed to go abroad through the petitioner and other co-accused, namely, Budh Singh and Sukhwinder Singh @ Sonu. The complainant arranged the amount by selling his land. On the basis of application moved by the complainant-Jasvir Singh, the DSP, Police Headquarter, Patiala, has conducted an enquiry and has submitted a report. In the report, involvement of petitioner was duly established.

Heard, learned counsel for the parties.

There are specific allegations against the petitioner. He along with his father Budh Singh and one Sukhwinder Singh @ Sonu fleeced money from the complainants on the pretext of sending them abroad. The allegation against the petitioner is serious. Even the DSP in his report dated 02.01.2016 has inducted the petitioner along with co-accused. The operative part of the report reads as under:-

“.....From secret and open enquiry conducted by me regarding this application and during enquiry earlier conducted

by Economic Offence Wing, Patiala and from statements of both the parties and from perusal of record produced by them it has been found that Sonu Singh son of Budh Singh, Budh Singh son of Jiwan Singh residents of Mohi Kalan and Sonu @ Sukhwinder son of Jangir Singh resident of Sanaur had received money near Kachnar Hotel Shambhu, Tax Barrier Shambhu and Village Mohi Kalan from applicant Jasvir Singh resident of New Mehmoodpur Jattan, Sandeep Singh, Ajaib Singh resident of Mohi Kalan and Gurwinder Singh resident of Naroли Bhai Ki and received Rs.9 Lac from Jasvir Singh, Rs.8 Lac from Sandeep Singh, Rs.7 Lac 50 thousand from Ajaib Singh and Rs.10 Lac 50 thousand for sending them to Australia, Kenya and Chilli country and Spain etc. and received their passports and important documents and later on, also got deposited amounts in different accounts.”

Considering the nature of allegation and on the basis of report so submitted by DSP, no case is made out for grant of anticipatory bail to the petitioner.

Accordingly, present petition stands dismissed.

(HARI PAL VERMA)
JUDGE

06.12.2016
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No