

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

***CRM No.M-15839 of 2016 (O&M)
Date of decision : 25.05.2016***

Inderjit

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Rakesh Kumar, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.15 dated 30.01.2016, under Sections 406/420 IPC, registered at Police Station Division No.1, District Jalandhar.

FIR came to be registered on the complaint of Pawandeep Singh. Allegations raised are that the present petitioner represented himself to be a travel agent and had raised a total demand of Rs.8.50 lacs to facilitate sending of the complainant abroad i.e. to Italy and by procuring the necessary VISA document.

A total sum of Rs.7.50 lacs are stated to have been entrusted to the present petitioner over a period of time. In a nutshell allegation is with regard to misappropriation of such money paid to the present petitioner, cheating and criminal breach of trust.

Counsel appearing for the petitioner would contend that the present petitioner is himself a victim as he along with two others had also paid a certain amount of money to one Singara Singh to be sent abroad. It is contended that a sum of Rs.2.60 lacs has been paid to Singara Singh for

such purpose. It is also the submission made by counsel that allegations on the face of it are improbable inasmuch as the complainant had alleged that a sum of Rs.1 lac was even paid to Harpreet Singh who is settled in Italy. It is argued that if the present petitioner was acting as the travel agent then there was no occasion for the complainant to have paid a sum of Rs.1 lac to Harpreet Singh.

Having heard, counsel for the petitioner at length and having perused the pleadings on record, this Court is not inclined to accept the prayer made in the petition.

Insofar as entrustment of Rs.1 lac to Harpreet Singh settled in Italy is concerned, version of the complainant and as contained in the FIR is that even such amount of money was entrusted on the asking of the present petitioner and Harpreet Singh happens to be his relative.

As regards the claim of the petitioner himself being duped for being sent abroad and having paid a sum of Rs.2.60 lacs, a specific query has been put to the counsel for the petitioner and which was responded to by saying that such money was entrusted in the year 2013. Counsel has not been able to advert to any course of action adopted by the petitioner and having availed of a remedy for return of such money that had allegedly been entrusted.

The allegation raised by the complainant and as contained in the FIR are direct and specific against the petitioner. Such allegations are serious in nature. Instances of innocent people being duped of their hard earned money on the pretext of sending them abroad are on the rise.

It is a case which would require a deep and thorough probe and for such purpose, custodial interrogation of the petitioner may well be

warranted.

In view of the above, the present petition seeking concession of pre-arrest bail to the petitioner is dismissed.

25.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**