

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

CRM-M-20819 of 2016

Date of decision: 21.6.2016

Harjeet Singh @ Mattu @ Mota

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE GURMIT RAM

Present: Mr. Jagraj S. Khiva, Advocate
for the petitioner.

Mr. Deepak Garg, AAG, Punjab.

GURMIT RAM, J. (Oral)

1. This petition has been filed for grant of benefit of pre-arrest bail to the petitioner above-mentioned in criminal case bearing FIR No.27 dated 10.5.2016, under Section 420 of the IPC, Police Station Joga, District Mansa.

2. Facts, in brief, are that this case was registered at the instance of complainant - Balbir Kaur wife of Charna Singh, resident of Kharak Singh Wala. Her husband was having good relations with Baljinder Singh @ Baggi and the present petitioner - Harjeet Singh @ Mattu @ Mota. They both came to her house on 3.4.2016 when she was alone in her house. They told her that they have opened a company by the name of M/s Samardh Jiwan with its branch office near bus stand Bathinda and main branch at Pune. They used to collect Rs.600/- from one member and in lieu of it, they get sanctioned a loan of Rs.50,000/- from their company

for him. The complainant was induced by their offer and she called 21 of her neighbours. They collected a sum of Rs.600/- per member and handed over total amount of Rs.13,200/- to above said Baljinder Singh @ Baggi and the present petitioner - Harjeet Singh @ Mattu @ Mota. After one month, when the complainant asked from them for their loan, then they started putting off the matter on one pretext or the other, which resulted into registration of the instant case.

3. The application filed by the petitioner for his pre-arrest bail was dealt with by learned Additional Sessions Judge, Mansa and the same was declined vide order dated 24.5.2016 (Annexure P-2). Thereafter, the petitioner approached this Court for the same very relief vide the instant petition, notice of which was given to respondent – State. Record was also requisitioned and perused.

4. Heard learned counsel for the parties.

5. Learned counsel for the petitioner has contended that the petitioner is innocent in this case and that he has been involved in this case falsely. He also contended that even the petitioner is ready to return the amount to the complainant and others which has allegedly been received from them, but the complainant party is not ready to accept the same. Then he also submitted that nothing is to be recovered from the petitioner. Further, he is also ready to join the investigation in this case and as such benefit of pre-arrest bail be granted to him in order to enable him to join the investigation of this case.

6. On the other hand, learned State counsel has contended that the petitioner along with non-petitioner Baljinder Singh @ Baggi has

cheated a number of poor and innocent ladies by alluring them that they will be given a loan of Rs.50,000/- each in lieu of a sum of Rs.600/- charged from them. He also contended that documents with regard to the branch office of the alleged company as well as of the main branch are yet to be recovered in this case and as such custodial interrogation of the petitioner is required.

7. The petitioner is named in the FIR. He had played active role as per the version of prosecution in receiving the above-said amount from the complainant and her neighbours by way of fraud and cheating in a well pre-planned conspiracy. So, as such, he does not deserve for the benefit of pre-arrest bail and this petition stands dismissed and disposed of accordingly.

However, nothing observed hereinabove shall be construed as expression of opinion on the merits of the case.

21.6.2016
Brij

(GURMIT RAM)
JUDGE