

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

CRM-M No.28903 of 2016

Date of decision: September 09, 2016

Parvinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Lakhwinder S. Sidhu, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab.

JASPAL SINGH, J.

The instant petition has been preferred by petitioner-Parvinder Kumar under Section 438 of Code of Criminal Procedure, seeking pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.90 dated 08.07.2016, under Sections 406, 420 of Indian Penal Code registered at Police Station Division 4, Jalandhar, District Jalandhar.

The instant FIR has been registered on the statement of complainant-Chander Mohan son of Sarwan Kumar. The allegations against the petitioner are that in the year 2011, Parvinder Singh-petitioner is working as property dealer and travel agent, promised to send Vinod Kumar (friend of the complainant) to USA and received an amount of Rs.17.00 lacs through cheque from him. Neither Vinod Kumar was sent to abroad nor the money was returned. Subsequently, the matter was compromised and petitioner promised to execute the sale deed in respect of a plot measuring 13 marlas in favour of the complainant and agreement to sell dated February 19, 2014 was also executed by the petitioner in favour of the complainant in this regard but neither petitioner executed any sale deed in favour of the

complainant nor returned the amount.

Learned counsel for the petitioner has contended that petitioner is innocent and has been falsely implicated in the instant case. The dispute between the parties is purely of civil nature. During inquiry, conducted by Human Trafficking Prevention Cell, Jalandhar, the alleged complaint has been found to be false. Learned counsel further contended that petitioner is ready to join the investigation and shall abide by all the conditions imposed upon him in case he is granted the concession of pre-arrest bail.

Per contra, learned State counsel has opposed the instant petition by submitting that petitioner is not entitled to the concession of anticipatory bail. He has cheated the complainant on the pretext of sending his friend abroad and extracted a sum of Rs.17.00 lacs.

This Court has given an anxious thought to the rival submissions made by learned counsel for the parties and gone through the record available on file.

As per the prosecution version, petitioner extracted an amount of Rs.17.00 lacs from the complainant on the pretext of sending Vinod Kumar to USA. Neither Vinod Kumar was sent to abroad nor the money was returned. Moreover, petitioner also promised to execute the sale deed in respect of land measuring 13 marlas in favour of the complainant as well as agreement to sell dated February 19, 2014 was also executed by him in favour of the complainant. Neither any sale deed was executed by the petitioner nor the amount was returned. Accordingly, petitioner has cheated the complainant. Allegations against the petitioner are serious in nature. Petitioner deceived the complainant to the tune of Rs.17.00 lacs on false

promises. Huge amount is involved. Custodial interrogation of the petitioner is necessary for effecting the recovery of amount involved as well as to unearth all the ramifications involved in this case.

In the light of what has been discussed above, this Court does not find any merit in the instant case and the same is dismissed accordingly.

September 09, 2016
m. sharma/avin

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No