

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 209

Criminal Miscellaneous No.M-37227 of 2016 (O & M)
Date of Decision: *November 16, 2016*

Dalveer Singh & another

..... PETITIONERS

VERSUS

State of Punjab

..... RESPONDENT

. . .

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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PRESENT: - Mr. Gaurav Sharma, Advocate, for the petitioner.

Mr. R.P.S. Sidhu, Assistant Advocate General, Punjab.

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Jaspal Singh, J

1. Petitioners have preferred the instant petition under Section 438 Cr.P.C. seeking pre-arrest bail, apprehending their arrest in case FIR No.90 dated September 17, 2015 under Sections 420, 465, 468, 471 IPC, registered at Police Station, Bareta, District Mansa.

2. Learned counsel for the petitioners has contended that no specific allegation or any role has been attributed to the petitioners. They have been falsely implicated in this case. Allegations made in the FIR do not constitute any offence against the petitioners. The main accused is already on regular bail. Petitioners are ready to join investigation and to abide by all the terms & conditions imposed upon them in case they are released on bail.

3. Learned counsel for the State has opposed the petition by submitting that petitioners have cheated the public by constituting a Society. They extracted money from the public in the garb of providing employment to people. They charged fees from the public in lieu of joining their centres. Salaries to the employees have also not been paid.

4. This Court has given a deep thought to the rival submissions made by learned counsel for the parties and gone through the record available.

5. The instant case was registered on the basis of an enquiry conducted by DSP Budhlada. It revealed that Nirmal Singh Sidhu son of Bapu Singh, resident of Dharamgarh Channa Dirba, had constituted a society 'Vikas Jansewa Society Dharamgarh Channa Dirba' and himself become its Chairman. He appointed petitioner No.2 - Sohan Singh Sidhu son of Bapu Singh as its President and petitioner No.1 – Dalveer Singh Cheema as its Secretary. Moreover, he also appointed Harjinder Singh Ghuman, as Vice President; Saweta @ Goldy as Cashier; Satnam Singh Bagah Purana as Secretary; Dr. Gurpreet Singh Cheema as Press Secretary; and Sarabjit Singh as Member. The alleged society conducted seminars in different villages. Society also appointed District Managers and Supervisors. Sewing centres and beauty centres were opened in different villages and joined girls as students. The society used to recover ₹ 1,200/- and ₹ 1,700/- as joining fees. Complainants Ranjit Kaur, Kuldeep Kaur, Sarabjit Kaur etc. were given job by aforesaid Nirmal Singh Sidhu but they were not aware about the fraud being committed by him. Moreover, salaries to teachers, managers, supervisors were not given for the last 3-4 months. Though, cheques of salaries were given to some teachers, but the same were found fake. The

petitioners and their co-accused. Allegations contained in the FIR are serious. Petitioners have been specifically named in the FIR. Custodial interrogation of the petitioners is necessary to unearth all the ramifications involved in the case.

6. In the light of what has been discussed above, this Court does not find it a fit case to exercise jurisdiction under Section 438 Cr.P.C. The instant petition is accordingly dismissed.

November 16, 2016
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(Jaspal Singh)
Judge

Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No