

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

CRM No.M-4838 of 2016 (O&M)

Date of Decision: 25.02.2016

Harinder Pal Sharma

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. B.S. Jatana, Advocate for the petitioner.

Mr. K.D. Sachdeva, Additional Advocate General, Punjab.

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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.38 dated 09.06.2015, under Section 420 IPC, registered at Police Station City 1, Mansa, District Mansa.

Counsel for the parties have been heard at length.

FIR came to be registered on the complaint of Gurbachan Singh S/o Gurdev Singh. Accusations are with regard to cheating and misappropriation of a total sum of Rs.12,90,000/- against the present petitioner as also other co-accused on the pretext of sending son of the complainant abroad. Apart from the present petitioner, accusations are also against Bhupinderpal Sharma, Hardeep Kaur, Bala Rani and Veerta Rani.

Learned counsel appearing for the petitioner would vehemently contend that co-accused Veerta Rani had been granted ad interim protection as regards arrest by this Court in the light of order dated 01.02.2016 passed

in ***CRM No.M-3119 of 2016 titled as Veerta Rani vs. State of Punjab.***

In the considered view of this Court, there was no parity insofar as the accusations against the present petitioner and co-accused Veerta Rani are concerned. Order dated 01.02.2016 granting interim protection in favour of Veerta Rani itself notices that the allegation of misappropriation of money on the pretext of sending relative of the complainant abroad are targeted primarily against Bhupinderpal Sharma and Harinder Pal Sharma/present petitioner. This Court had also recorded the contention raised by counsel appearing for Veerta Rani that she had been roped in on account of her relationship i.e. being mother-in-law of Harinder Pal Sharma.

Insofar as the present petitioner is concerned, part of the total amount has been stated to have been deposited in his bank account.

Allegations with regard to cheating and misappropriation of money and that too on the pretext of selling a foreign dream are serious in nature. Co-accused, Bhupinderpal Sharma and Satpal Sharma have already been arrested and thereafter granted benefit of regular bail. The present petitioner has been evading the process of law till date.

In the totality of circumstances, this Court is not inclined to extend to the petitioner concession of pre-arrest bail.

Petition is dismissed.

25.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**