

CRM-M-1500-2017

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

CRM-M-1500-2017

Date of Decision: 21.03.2017

Gurvel Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. G.S.Dhindsa, Advocate,
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. Gurnam Singh, Advocate,
for respondent No.2.

INDERJIT SINGH, J.

Petitioner-Gurvel Singh has filed this 2nd petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.89 dated 17.07.2015, registered at Police Station Amloh, District Fatehgarh Sahib, under Sections 406 and 420 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel put in appearance on behalf of respondent No.1-State and the complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

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From the record, I find that first of all, this is second petition for anticipatory bail of the petitioner. His earlier petition for anticipatory bail was dismissed as withdrawn with liberty to him to file fresh petition with better particulars. As per the allegations, the present petitioner is doing the work of travel agent. He cheated the complainant to the tune of Rs.6.50 lakhs as he promised to send the brother and brother-in-law of the complainant to foreign country.

The mere fact that Rs.5 lakhs have been returned to the complainant, as argued by learned counsel for the petitioner, is no ground for grant of anticipatory bail. However, learned counsel for respondent No.2 argued that passport of respondent No.2 is also lying with the present petitioner which is to be recovered from him.

Keeping in view the nature and gravity of the offence and in view of the fact that the petitioner is required for custodial interrogation, I do not find it a fit case where the petitioner is entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

21.03.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No