

105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.19270 of 2017
Date of Decision: 26.05.2017

Harmeek Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vishal Sharma Haritwal, Advocate
for the petitioner.

DEEPAK SIBAL J. (ORAL)

The present is the second petition filed by the petitioner under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.42, dated 24.03.2016, registered under Sections 420 and 120-B IPC, at Police Station City Dhuri, District Sangrur (Punjab).

The first petition filed by the petitioner being ***CRM-M No.33673 of 2016-Harmeek Singh Vs. State of Punjab***, had come up for hearing before me on March 07, 2017, on which date, learned counsel for the petitioner after arguing the matter at length and having received no favourable response from the Court seeking not to invite a decision on merits, sought permission to withdraw the afore-referred petition, which he was permitted to. Order dated March 07, 2017 reads as under:-

“The arguments raised on behalf of the petitioner having not received a favourable response from the Bench, learned counsel for the petitioner seeks to withdraw the present petition.

Permitted to do so.

Dismissed.”

On a query posed with regard to any change in circumstance after the passing of the afore-referred order, learned counsel for the petitioner submits that the petitioner is suffering from lower back pain and is undergoing treatment on OPD basis as an outdoor patient in a private hospital in Delhi. A certificate to that effect dated 18.04.2017 is appended with the present petition as Annexure P-2.

The allegations against the petitioner are grave. As per the case of the prosecution, the petitioner, who is a Director of HS International Consultancy, New Delhi, was introduced to the complainant by co-accused Rani. During such conversation which took place between the three, the complainant was lured by the petitioner and co-accused Rani to be sent to Hong Kong, on permanent basis, on payment of about Rs.5 lakhs. In pursuance to such arrangement, the complainant deposited part payments in the account of the petitioner and thereafter, the petitioner took the complainant with him to Bangkok where the complainant found other youth taken by the petitioner and who were entangled there with several immigrational issues. The complainant was then brought back to Delhi by the petitioner.

The racket of which the petitioner is alleged to be one of the kingpins which is of accepting money from young persons on the pretext of sending them abroad and then making them face untold hardships in a foreign land is a disease which is fast spreading in our society.

As per the complainant, when he was taken to Bangkok by the petitioner on the pretext that he was taking him to Hong Kong, he had found at Bangkok, several youth, who had also been defrauded by the

petitioner in a similar fashion. It needs to be probed as to who those youth were and how the petitioner defrauded them.

The money which is presumed to have been accepted by the petitioner for such deals also needs to be recovered or at least the money trail needs to be established.

This second petition seeking anticipatory bail has been moved by the petitioner alleging that he is suffering from back pain. Such a plea is considered and rejected. The medical certificate attached by the petitioner is dated 18.04.2017 which is much after the dismissal of his first petition and therefore, the same being as a result of an after thought cannot be ruled out. Even otherwise, all that this medical certificate certifies is that the petitioner is suffering from back pain and is an outdoor patient in a private hospital in Delhi. Being an outdoor patient and suffering from back pain, in my opinion are not enough factors to grant him anticipatory bail on medical grounds especially in view of the facts noticed above as also for the reason that there are enough medical facilities in the jail to take care of the medical problems that the petitioner alleges to be suffering from.

In view of the above, I am not inclined to grant benefit of anticipatory bail to the petitioner.

Dismissed.

May 26, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No