

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

**CRM-M No.12028 of 2018**  
**Date of Decision-03.04.2018**

Ranjit Singh @ Rana ... Petitioner  
Versus  
State of Punjab ... Respondent

**CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Sanjeev Duggal, Advocate  
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Vikas Bali, Advocate  
for the complainant.

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**RAJ MOHAN SINGH, J.**

[1]. Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.103 dated 10.11.2017 registered under Sections 420/406 IPC, Section 24 of Immigrant Act, Section 4 of Human Trafficking Act and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at Police Station Bholath, District Kapurthala.

[2]. In the FIR, the complainant alleged incriminating allegations against the petitioner and his wife in respect of fraud to the tune of Rs.40 lacs on the pretext of sending Navdeep Singh and Jaspreet Singh to USA and for not telling their whereabouts. Complainant Mahinder Singh alleged that he has two sons namely Sukhpreet Singh and Jaspreet Singh. Jaspreet Singh was working as a Carpenter at Doha Qatar (Dubai) and interested to go in USA. Complainant talked to his brother-in-law

Pargat Singh and his son Navdeep Singh who was unemployed. In the last week of January, 2017, brother-in-law of the complainant came to the house of the complainant along with the petitioner, where the complainant, his wife and elder son Sukhpreet Singh were present. Petitioner assured the complainant and his family members that he has already sent many persons to USA, where they are living happy life. Petitioner asked them to pay Rs.32,50,000/- in lieu of sending his son to USA. Brother-in-law of the complainant had already negotiated with the aforesaid agent for sending his son to USA. At that time, an amount of Rs.5 lacs was paid to the petitioner in the presence of Balwinder Singh and wife and son of the complainant. Petitioner took photocopy of passport and assured the complainant that his son will be sent to USA within 15 days and he asked for making arrangement of the balance amount. After 2-3 days, the petitioner again came to the house of the complainant and took original passport and four passport size photos, besides an amount of Rs.5 lacs. Petitioner got some forms signed at some blank stamp papers from the son of the complainant. After 6-7 days, the petitioner called the complainant and informed him that his son Jaspreet Singh and son of his brother-in-law namely Navdeep Singh have got the visas and asked the complainant to arrange an amount of Rs.5 lacs each as he had to book the tickets. Some more incriminating allegations were made by the

complainant in the context of receiving further amount from the complainant.

[3]. At the time of grant of anticipatory bail to Hardip Kaur wife of the petitioner, the affidavit furnished by the petitioner on 15.09.2017 was taken into consideration by the Court wherein petitioner admitted before the Panchayat and other respectables that he will communicate with Navdeep Singh and Jaspreet Singh and will bring them back to India at his own expenses and will return the whole amount which he had taken from the families. In case of violation, he would be liable for any legal action. On such representation made by the petitioner, Hardip Kaur was granted anticipatory bail by Additional Sessions Judge, Kapurthala vide order dated 23.01.2018, after noticing the fact that petitioner is stated to have entered into compromise with the complainant and his brother-in-law and has returned a sum of Rs.12,80,000/- in the presence of the Panchayat and further assured to return a sum of Rs.40 lacs to them. Thereafter, the petitioner has not returned the amount.

[4]. Learned counsel for the petitioner has denied the very execution of affidavit in question.

[5]. At this stage, this Court is not in a position to appreciate the stand of the petitioner viz-a-viz his denial to execute the affidavit on the one hand and in not denying the return of sum of Rs.12,80,000/- on the other hand.

[6].            Keeping in view the allegations on record, I do not see any justification in entertaining the plea of fabrication and procurement of affidavit at this stage on the ground that affidavit was not attested by the notary and only seal of the notary was found affixed on the affidavit. Repayment of amount to the tune of Rs.12,80,000/- has not been denied by the petitioner.

[7].            In view of above, at this stage, without meaning anything on the allegations and without meaning anything on the merits of the case, no ground for grant of anticipatory bail to the petitioner is made out. The present petition is accordingly dismissed.

[8].            Nothing expressed hereinabove would be construed to be an expression of any opinion on the merits of the case.

**(RAJ MOHAN SINGH)**  
**JUDGE**

03.04.2018  
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|---------------------------|--------|
| Whether Reasoned/Speaking | Yes/No |
| Whether Reportable        | Yes/No |