

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

CRM-M-17763-2017 (O&M)
Date of decision: March 22, 2018

Lakhvinder Singh Randhawa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Dinesh Trehan, Advocate for
Mr. P.S. Hundal, Advocate for the petitioner.
Mr. A.A. Pathak, Addl. Advocate General, Punjab.
Mr. A.S. Cheema, Advocate for the complainant.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections under Sections 420 IPC, at Police Station Bhikhi, District Mansa, vide FIR No.32 dated 26.04.2017.

FIR was registered on the complaint made by Sukhvir Singh son of Gulab Singh with the allegations that Major Singh son of Chintan Singh, who belongs to his in-laws village, introduced the complainant to the petitioner, who claimed that he has contacts with the Government Officers. He would, thus, be able to secure a job in D.C. Office. Petitioner demanded Rs.8.00 lacs for this purpose. Lakhwinder Singh and Major Singh both came to his village, where he paid Rs.4.00 lacs to Lakhwinder Singh. They also got his signatures on the plea that they would write application for job

thereon. After 3/4 days, petitioner demanded the remaining amount. On 27.07.2015, complainant paid Rs.3.00 lacs to Lakhwinder Singh and Major Singh in the presence of Harvir Singh son of Sukhdev Singh. Further on 30.7.2015, petitioner visited the house of the complainant and took Rs.1.00 lac from him. Petitioner assured that his medical examination would be conducted and he would get appointment letter soon. After getting Rs.8.00 lacs, petitioner started avoiding the matter on one pretext or the other. Inquiry was conducted by S.P. (Investigation), who found truth in the allegations and accordingly FIR was lodged.

Learned counsel for the petitioner has prayed for anticipatory bail on the ground that there is clinching proof against the petitioner. He has been unnecessarily arraigned as an accused. A monetary dispute has been given the colour of job scam.

Prayer was opposed by State counsel. According to him, there is a Compact Disc, in which conversation between petitioner and the complainant has been recorded, wherein petitioner has admitted having received Rs.8.00 lacs from the complainant. According to him, petitioner was earlier also involved in another similar case bearing FIR No.45 dated 20.05.2015, under Sections 420/120-B IPC at Police Station Tappa Mandi, District Barnala.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

At the outset, it may be useful to refer to the affidavit dated 7.3.2018, filed by Parambir Singh Parmar, Senior Superintendent of Police, Mansa. Paras No.3 & 4 thereof read as under:-

“3. That the petitioner filed the present petition and vide order dated 18.5.2017 passed by this Hon'ble Court, he was granted interim bail and the petitioner joined investigation.

4. That during course of investigation, the complainant Sukhvir Singh presented a Compact Disc (C.D.) regarding conversation in respect of transaction of money between the parties wherein the petitioner admitted receipt of money from the complainant. On 5.12.2017 the said C.D. was presented before this Hon'ble Court and the ld. counsel for the petitioner had taken plea that the conversation has not been compared.”

Another short affidavit dated 5.12.2017 was also filed by Karanveer Singh, Dy. Superintendent of Police (Sub Division), Mansa, wherein a Compact Disc. (CD) as well as transcript of conversation has been placed on record. From a perusal of same, this court feels that custodial interrogation of the petitioner may be necessary in order to elicit entire information from him as to the *modus operandi* adopted by him. Investigating agency would also be required to investigate whether petitioner has duped other innocent persons in similar manner. Under the circumstances, no case for grant of concession of anticipatory bail is made out. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

March 22, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No