

**206-3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-19182-2018

Date of decision: December 19, 2018

Satbir Singh @ Satbir

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashish Aggarwal, Senior Advocate with
Mr. Vipul Aggarwal, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

Mr. Suneel Ranga, Advocate
for the complainant.

RAJ SHEKHAR ATTRI, J.(ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No.376 dated 18.09.2017, under Sections 120-B, 406, 420, 506 of the Indian Penal Code registered at Police Station Butana, District Karnal.

It is the allegations against him that he has duped a sum of Rs.44.00 lakh from the complainant for sending his son and daughter-in-law to United States of America. At that time, petitioner-Satbir Singh @ Satbir and his wife Smt. Sunita represented that their son-Virender Kumar has already been residing in Romania and he will send complainant through his son to USA. An amount of Rs.10.00 lakh was paid by the complainant along with original documents to the petitioner. On 08.03.2016 petitioner Satbir Singh @ Satbir came to his house for taking passport and on 23.03.2016 both the accused No.1 and 2 collected Rs.13.00 lakh from the complainant and handed over visa and ticket from Armenia instead of Romania and also collected Rs.7.00 lakh from the complainant.

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

Learned counsel for the petitioner submitted that a compromise was effected but complainant now backed out from the compromise; that there is no evidence if the amount was paid to the petitioner as alleged in the FIR and that son of the petitioner has also been cheated by Dilbag Singh Dhillon, a travel agent and in fact petitioner is a victim.

On the other hand, learned counsel for the complainant submitted that the petitioner had cheated the complainant and he had recovered hefty amount of Rs.30.00 lakh and further that no compromise as alleged has ever been effected rather, the compromise allegedly produced by the petitioner is fake and has been prepared in connivance with the police.

This court has given thoughtful consideration to the rival contentions made by learned counsel for the parties.

It is a case of the prosecution that the petitioner has issued a cheque of Rs.4,50,000/- in favour of the complainant but the same was dishonored.

Serious allegations have been levelled against the petitioner.

To the mind of this court, custodial interrogation of the petitioner is necessary.

Keeping in view the totality of the facts and circumstances, petitioner is not entitled for bail.

Petition stands dismissed accordingly.

December 19, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No