

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.104

CRM-M-27726-2018

Date of decision : 06.07.2018

Surjit Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sarju Puri, Advocate, for the petitioner.

Mr. Rishu Mahajan, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.48 dated 06.04.2018, registered at Police Station City Nawanshahr, District S.B.S. Nagar, under Sections 406 and 420 IPC.

The allegations in the FIR are that the petitioner proposed to the complainant that his son could be sent to Canada to work in the hotel of the son of the petitioner and for that a sum of Rs.17 lakhs was paid, inter alia, to the petitioner.

Out of this amount, a sum of Rs.15 lakhs has been paid into the account of the son of the petitioner.

Learned counsel for the petitioner argues that the petitioner is an old person aged about 72 years and has been unnecessarily roped in. The money has actually been deposited in the account of the son of the petitioner and there is no proof that Rs.2 lakhs was paid to the petitioner. That apart, the story appears to be false as nobody would be so gullible as to pay a huge amount of Rs.17 lakhs on the mere asking of another person. He also submits that the petitioner is prepared to deposit a sum of Rs.2 lakhs allegedly received by him.

The allegations in the FIR are serious in nature. Out of total amount of Rs.17 lakhs, a sum of Rs.15 lakhs has been transferred through bank transactions. As per the allegations in the FIR, the petitioner was instrumental in striking the deal. Crime of this nature is on the rise and such cases need to be dealt with sternly. Thus, I am not inclined to exercise my discretionary jurisdiction under Section 438 of the Code of Criminal Procedure, 1973

For the reasons aforementioned, the petition is dismissed.

(SUDHIR MITTAL)
JUDGE

06.07.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No