

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M No.29038 of 2018

Date of decision: 18.07.2018

Subhash Chander and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.S. Manaise, Advocate for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.17 dated 26.02.2016 registered under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station City Fazilka, District Fazilka.

Counsel for the petitioners has submitted that as per the FIR, the complainant has paid an amount of Rs.8 lacs to the petitioners for sending him abroad. It is stated in the complaint that the complainant has gone to the house of the co-accused Paramjit Singh, who along with his father and brother was present there and on their allurements, the amount was paid to all the accused persons including the petitioner in presence of his friend Shivam son of Ashwani Wadhera. It was also settled that the remaining amount of Rs.1 lac will be paid, after obtaining the VISA. The co-accused also stated that he will give a cheque of Rs.9 lacs to the complainant. It is further stated in the complaint that despite repeated assurance given by the accused persons, neither the complainant was sent abroad nor his money was

returned and even the cheque given by the accused persons, was dishonoured. It is further submitted that the petitioner is a small food vendor and is not in the business of travel agency for sending the persons abroad and as per the FIR, the main accused are Paramjit Singh and his father and the petitioners have been falsely implicated in the present case.

In reply, counsel for the State, on instructions from HC Baljinder Singh, has referred to the allegation against the petitioners in the FIR where it is stated that the co-accused Parmod Kumar has given Rs.8 lacs to the petitioner and, therefore, the active involvement of the petitioner was also there. It is further submitted that till date, none of the accused has been arrested so far and there are serious allegation against the petitioners that they along with the co-accused, have cheated the complainant.

After hearing counsel for the parties, I find no merit in the present petition for grant of anticipatory bail to the petitioners as there are serious allegations against the petitioners for inducing the complainant to part away Rs.8 lacs on the pretext of sending him abroad and the amount has been usurped by the petitioners along with the co-accused.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

18.07.2018
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No