

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

CRM-M-32836-2017 (O&M)

Date of decision: January 25, 2018

Gurinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Nahel, Advocate for the petitioner.

Mr. A.A. Pathak, Addl. Advocate General, Punjab.

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 406 and 420 IPC at Police Station Payal, District Khanna, vide FIR No.112 dated 23.08.2015.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offence and he has been implicated falsely in the present case. According to him, petitioner is neither a travel agent nor he has taken any amount from the complainant.

Prayer has been opposed by learned State counsel. According to him, petitioner and his co-accused hatched a conspiracy and took Rs.20.00 lacs from the complainant on the pretext of sending him abroad.

I have heard learned counsel for the parties and given careful

thought to the facts of the case.

Allegations against the petitioner are that he had taken an amount of Rs.20.00 lacs from the complainant for sending him to Canada. Complainant had paid the said amount to the petitioner on 20.02.2015 along with his passport, in the presence of co-accused Gagandeep Singh and his father Balbir Singh. When complainant demanded his money and passport back, accused refused to return the same.

Keeping in view the allegations against the petitioner, I am of the considered view that he is not entitled to concession of pre-arrest bail. Petitioner and his co-accused have committed a fraud with the complainant of a huge amount i.e. Rs.20.00 lacs on the pretext of sending him abroad. Thus, custodial interrogation of the petitioner may be necessary to recover the amount and passport of the complainant. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

January 25, 2018
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No