

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

CRM M-35592 of 2017

Date of decision : 02.05.2018

Vijay Kumar

...Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Raman Goklaney, Advocate for the petitioner.

Mr. A.A. Pathak, Additional A.G. Punjab.

Mr. S.K. Sandhir, Advocate for the complainant.

RAJAN GUPTA J.

Petitioner has sought pre-arrest bail in a case registered against him under sections 420, 120-B IPC vide FIR No. 255 dated 14.08.2017 at police station City Jagraon, district Ludhiana.

A complaint was lodged by Naveen Kumar s/o Ramesh Kumar, r/o Jagraon. He alleged that he had paid a sum of ₹23.00 lacs to Vijay Kumar (petitioner herein) for sending him and his father to Canada. The money was paid in three installments to him in the presence of Jaswant Singh S/o Pritam Singh. After having received the amount, petitioner never kept his promise. He neither returned the money nor sent the complainant and his father abroad which resulted in registration of instant FIR. The petitioner has contended before this court that there were business dealings between him and the complainant as would be clear from the receipts and other documents. He has been falsely implicated in the case. Vide order

dated November 27, 2017, a coordinate Bench of this court (Surinder Gupta, J) directed Senior Superintendent of Police, Jagraon to look into the issue as to whether dealings between the parties pertain to a promise to send the complainant abroad. Short reply by way of affidavit dated 06.02.2018 has been filed by Kanwalpal Singh, DSP Jagraon, district Ludhiana. Para 2 thereof reads as under:-

“2. That during investigation the complainant produced three receipts dated 27/10/14, 22/12/2014, 28/10/2014 before the investigating officer issued by the petitioner. These receipts were issued by the petitioner to complainant as a Security of the amount of Rs. 23,00,000/-. This amount was not money dealing as a loan. This amount was given to the petitioner for sending the complainant to abroad. This is brought to the notice of this Hon’ble court in compliance with order dated 27/11/2017 passed by this Hon’ble Court.”

After receipt of aforesaid affidavit, an effort was made before the mediation and conciliation centre to enable the parties to settle the dispute. However, nothing materialized.

Keeping in view the nature of allegations and the investigation conducted by the police so far, no case for grant of anticipatory bail is made out. Petition is, thus, without any merit and is hereby dismissed.

May 02, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No