

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-39855-2018

Date of Decision: September 12, 2018

Suraj Kumar

.....Petitioner(s)

versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Onkar Rai, Advocate for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner-Suraj Kumar seeks anticipatory bail in FIR No.219, dated 02.08.2018, registered at Police Station Phillaur, District Jalandhar, under sections 420, 406, 120-B IPC.

2. The allegations in the FIR are that the petitioner introduced the complainant to the main accused- Kiran Bansal to whom money was paid by the complainant for sending the son of the complainant to Canada. However, a fake viza was procured because of which the son of the complainant could not travel to Canada. The accused persons were asked to refund the money but the money has not been refunded.

3. Learned counsel for the petitioner submits that the petitioner is only a go-between. The money has been paid in the account of Kiran Bansal and all transactions have been conducted by the said Kiran Bansal. The father of Kiran Bansal, who undertook to reimburse the complainant in case his daughter failed to repay the money, has been granted anticipatory bail and thus, the petitioner also

deserves to be granted the same concession.

4. The petitioner is the person who introduced the complainant to Kiran Bansal. He actively participated in the discussions between the complainant and the main accused and assured the complainant that his work would be done. Thus, it is apparent that there was some kind of partnership between the petitioner and the main accused. A sum of Rs. 6 lacs has allegedly been paid to Kiran Bansal and the same has not been recovered till date. Thus, I see no ground to grant the concession of anticipatory bail to the petitioner. His case is not at par with the case of father of Kiran Bansal, as there is no allegation against the father that he participated in the discussions between the complainant and Kiran Bansal.

5. Thus, the petition has no merit and accordingly dismissed.

September 12, 2018

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[SUDHIR MITTAL]

JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No