

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.40965-2018 (O&M)

Date of decision : 15.12.2018

Desh Partap Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr.K.D.S.Hooda, Advocate for the petitioner
Mr.Ramesh Kumar Ambawata, AAG Haryana
Mr.P.S.Ahluwalia, Advocate for the complainant

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (Oral)

Learned State counsel on instructions from SI Shyam Lal states that the petitioner has joined the investigation. Only Rs.one lakh has been recovered from him and remaining money is yet to be recovered from.

Allegations against the present petitioner Desh Partap Singh are that he along with his brother Gurpreet Singh and one Sukhbir Singh extorted Rs.two crores from the complainant for helping them in getting PR of the entire family to Canada. The money was paid on different occasions by selling the land and borrowing from the Commission Agents. It is further stated that the accused failed to get the family Visa. They undertook to return the money and issued some cheques also but the money was not returned.

Learned State counsel further states that a forged Visa of the

entire family was given by the accused to the complainant for which, offences under Sections 467 and 468 IPC have been added.

Learned counsel for the petitioner has argued that it was a business dealing with Gurpreet Singh. Petitioner has nothing to do with the same. He admits Rs.5 lakhs were transferred through RTGS by the brother of the complainant to his account, which he has re-paid to Gurpreet Singh. Story of sending abroad is cooked up story.

I am of the view that during the investigation, the police has collected the evidence that the complainant has sold his land to collect the money. He is also stated to have taken money from Commission Agents, which is verifiable.

Considering that it is alleged that racket of sending people abroad on fake Visa, custodial interrogation of the petitioner is necessary.

Accordingly, no ground is made out to grant anticipatory bail.

Resultantly, the present transfer petition stands dismissed.

15.12.2018*gk***(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No