

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

CRM M-41428 of 2017

Date of decision : 02.05.2018

Harjeet Singh

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gurcharan Dass, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG Punjab.

RAJAN GUPTA J.

Petitioner seeks concession of pre-arrest bail in a case registered against him under section 420 IPC vide FIR No. 236 dated 09.10.2017 at police station Sadar, Patiala. It has been contended before the court that petitioner has not received any money nor promised anybody for allotment of plots. According to him, allegations leveled in the FIR are totally false. Same was registered on account of political vendetta. Thus, he deserves the concession of pre-arrest bail. Learned State counsel has opposed the prayer. He submits that petitioner has swindled ₹5,25,000/- and same needs to be recovered from him.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

FIR was registered on the allegations that mother of the petitioner namely Mukhtiar Kaur remained Sarpanch from 2007 to 2013 of village Punia Khanna. However, all her work was being looked after by the petitioner. In the year 2012 petitioner promised to provide plots out of

Panchayati land to 105 Harijan families of the village and has taken ₹5,000/- each from them as expenses for allotment. After having received total amount of ₹5,25,000/-, petitioner never kept his promise. He neither returned the money nor allotted the plots. A complaint was thus made in this regard to the police. An FIR under section 420 IPC was registered and investigation ensued. It is evident that allegations against the petitioner are serious. He is alleged to have duped the poor villagers on the promise of providing them plots and took ₹5,000/- each from them as expenses for formalities to be completed for allotment of plot. He never returned the amount. Stand of the investigating agency before this court is that recovery is yet to be effected from the petitioner.

Considering the nature of allegations and the fact that petitioner has duped the poor Harijan families of the village, he is not entitled to concession of pre-arrest bail. Moreover, his custodial interrogation may be required for taking the investigation to its logical end. 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