

CRM-M-44155-2018

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

CRM-M-44155-2018

Date of Decision: 30.10.2018

Harvinder Singh and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. H.P.S.Ghuman, Advocate,
for the petitioners.

Mr. Pawan Sharda, Sr. DAG, Punjab.

None for respondents No.2 to 10.

INDERJIT SINGH, J. (Oral)

Petitioners-Harvinder Singh and Pargat Singh have filed this second petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.149 dated 24.12.2015, registered at Police Station Kotwali Nabha, Tehsil Nabha, District Patiala, under Sections 406 and 420 of the Indian Penal Code and Sections 4 and 5 of the Prize Chit and Money Circulation Schemes (Banning) Act, 1978.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as

learned State counsel and gone through the record.

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From the record, I find that FIR, in the present case, has been got registered by complainants-Satnam Singh, Pargat Singh, Nardeep Singh etc. against Lal Khan @ Lalli. As per the allegations, the people were cheated to the tune of crores of rupees through Khalsa Gift Enterprises. It is mentioned in the FIR that Lal Khan @ Lalli through Khalsa Gift Enterprises lured the people of prizes and got membership of 2000 people and received ₹1300/- per month each for 10 months from them. It is also mentioned in the FIR that the company closed the draw and did not return the money. The present petitioners are stated to be the partners of the Khalsa Gift Enterprises.

Learned counsel for the petitioners stated that the petitioners are ready to return the amount of 09 complainants, who had got the FIR registered.

Keeping in view the fact that a large number of people have been cheated by Khalsa Gift Enterprises, therefore, benefit of anticipatory bail cannot be granted to the petitioners even after paying the amount of only 09 persons, who are the complainants. The petitioners are required for custodial interrogation. Otherwise also, keeping in view the nature and gravity of the offence, I do not find it a fit case where the petitioners are entitled to the benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

30.10.2018

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

: Yes
: No