

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

CRM-M-46933-2018 (O&M)
Date of decision: 27.11.2018

Chamkaur Singh

... Petitioner(s)

VERSUS

State of Punjab

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Bikramjeet Singh Jatana, Advocate.
for the petitioner.

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

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.23 dated 5.4.2018 registered for the offences punishable under Sections 420 of Indian Penal Code, at Police Station Joga, District Mansa.

Heard.

The allegation levelled against the petitioner in the FIR is that he duped the complainant of a sum of ₹ 9 lacs for providing him a Government job. This Court would like to reproduce the relevant part of the FIR as under : -

“.....I went to Dheerajpal Singh son of Sher Singh resident of Ward No.2 Ratia for some work. Chamkaur Singh @ Soni son of Joginder Singh Ginda, Babaljit Kaur wife of Chamkaur Singh and Kuljit Kaur wife of Joginder Singh @ Ginda residents of Aklia, Tehsil and District Mansa, PS Joga were sitting there. Above said persons have started talking about

their higher approaches that they have relations with some member of parliament and asked to tell if I have some work regarding government job. I have told regarding their approach to my relative. As we are unemployed and having faith upon their talks I met them after some days and discussed with them regarding getting job for me and other three persons. They all gave assurance for our job and told us that for this purpose some amount is to be paid in advance and some amount is to be paid in installments. Initially I have paid Rs. 5 lakh to them for me and by taking from the relatives. Thereafter, I have received a phone of Chamkaur Singh who said that he is out of station and asked me to give Rs.2 lakh to his wife Babaljit Kaur and then I have given Rs. 2 lakh to his wife Babaljit Kaur and then I have given Rs. 2 lakh to Babaljit Kaur at their house at Akila. After passing of few days I have inquired about job then they said that job will be given within some days and asked to send our documents and remaining Rs 2 lakh. I have handed over our documents and more Rs 2 lakh to Kuljit Kaur mother of Chamkaur Singh. Total Rs 9 lakh paid to them.....”

The wife of the petitioner has already been granted the benefit of bail as the petitioner has asked the complainant to pay a sum of ₹ 2 lacs to her.

Counsel for the petitioner has submitted that in fact the dispute is with regard to sale of a truck and further that, no material is available on record as to whether the petitioner has received the aforesaid amount.

To the mind of this Court, this is a matter of evidence and at this stage, the petitioner cannot be granted the benefit of bail as serious allegation has been levelled against the petitioner and custodial interrogation of the petitioner appears to be necessary.

Dismissed.

November 27, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No