

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

CWP-53603-2018 (O&M)

Date of decision : 14.12.2018

Gurjant Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. A.K.Khunger, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Manpreet S. Dhaliwal, Advocate for 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)

Heard.

This is an application filed under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail to the petitioner in case FIR No. 0109 dated 22.11.2018, under Sections 420/120-B of the Indian Penal Code, registered at Police Station Sadar Kotkapura, District Faridkot.

As per the allegations levelled in the FIR, complainant-Sewak Singh met Amarjit Singh, who is an immigration agent for the purpose of sending his son Jagmander Singh to America on work permit. Amarjit Singh undertook to send Jagmander Singh to America on work permit for which he demanded Rs. 28.50 lacs which Amarjit Singh directed to be paid to Gurjant Singh-present petitioner in cash. Accordingly, the complainant-Sewak Singh arranged Rs. 20.00 lacs on loan against his land and paid the same to Gurjant Singh-present petitioner. Thereafter, some other payments were also

made to Amarjit Singh at Delhi. On the complaint of the complainant-Sewak Singh, after the inquiry conducted by Senior Superintendent of Police, Moga, the case was registered against the accused.

Learned counsel for the petitioner has argued that there is no proof to show that the amount was ever deposited in his account or paid in cash. Petitioner belongs to the same village and the allegations are false.

On the other hand, learned State counsel assisted by learned counsel for the complainant contend that in this case, complainant took a loan of Rs. 20.00 lacs against his land. In the inquiry, it came out that said money was paid to Gurjant Singh-present petitioner. The State is also in possession of a CD where the conversation of Gurjant Singh-present petitioner and complainant-Sewak Singh in this regard has been recorded.

I am of the view that the allegations are serious in nature and requires thorough investigation for which custodial interrogation of the petitioner is necessary.

It being so, no ground is made out to grant bail to the present petitioner.

Dismissed accordingly.

(KULDIP SINGH)
JUDGE

14.12.2018
preeti

Whether speaking / reasoned
Whether Reportable:

Yes
No