

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-6123 of 2018

Date of Decision: February 15, 2018

Raj Kumar

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Narinder Kumar Vadehra, Advocate
for the petitioner

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Sudhir Mittal, J. (Oral)

The present petition has been filed for grant of anticipatory bail in case FIR No. 0007 dated 13.01.2018, registered under Sections 406, 420 IPC at Police Station Taripuri, District Patiala.

According to the allegations in the FIR, the complainants have paid money to the petitioner and his Associate Jatinpall Singh for the purpose of getting permanent residency in Canada. The petitioner and his Associates have allegedly received a sum of Rs. 60 lacs and ultimately permanent residency has been refused by the Canadian Authorities. On demand, the money has not been returned and, therefore, the present FIR has been lodged.

Learned counsel for the petitioner submits that the petitioner himself is an aggrieved person because Jatinpall Singh had cheated him as well and a complaint dated 24.08.2017 had been lodged by the petitioner with the police which was ultimately withdrawn on account of an alleged agreement dated 14.06.2017. This compromise is relied upon by the petitioner for the purpose of contending that he himself is a victim and that he has wrongly been accused by the complainants.

I am afraid, I can not accept this contention because the statement of

accounts annexed with this petition clearly shows that there have been regular financial dealings between the petitioner and Jatinpal Singh. Thus, it is apparent that the complaint and the compromise have been manipulated for the purpose of defeating the rights of the complainants. The complainants have paid money since the year 2016. On realizing that criminal proceedings are likely to be lodged, the complaint as well as the compromise aforementioned were written in a collusive manner so as to portray the petitioner as a victim.

In view of the above, there is no merit in this petition and the same is dismissed. Anything stated in this order will not effect the case on merits.

February 15, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No