

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6287 of 2019
DECIDED ON: 11.02.2019

DAVINDER SINGH @ DAVINDA

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.141 dated 04.11.2018, registered under Sections 420 and 120-B IPC, Police Station Barnala, District Barnala.

According to the prosecution, the petitioner and his accomplice cheated the complainant for ₹18,50,000/- on the false pretext of doubling his money in few days.

Learned counsel contends that no such statement admitting his commission was given by the petitioner before Superintendent of Police (HQ) on the alleged cheated amount of ₹18,50,000/- It is unbelievable that complainant was having such huge amount in cash in the absence of proof of his income, which he did not produce before the police. The petitioner is innocent and has falsely been implicated in

the instant case. The main accused is Jalandhari.

On 15.10.2018, during investigation, Superintendent of Police (HQ) interrogated the petitioner, who admitted the payment of ₹15,000/- as commission. The above admission of the petitioner is not before any Inspector or Sub-Inspector, rather is before Superintendent of Police. Therefore, the same cannot be brushed aside on the plea of learned counsel for the petitioner that he did not give any such statement, inasmuch as, admission of the petitioner about receipt of commission in itself is sufficient to show that he was member of the conspiracy.

Considering the over all facts and that the complainant has been cheated for huge amount of Rs.18,50,000/- by the petitioner along with his co-accused, this Court is not inclined to grant anticipatory bail to the petitioner.

Dismissed.

11.02.2019

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Whether speaking/reasoned

Whether reportable

(RAMENDRA JAIN)

JUDGE

Yes/No

Yes/No