

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29051-2018 (O&M)

Date of decision: 27.09.2019

Harpreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Jagmeet Singh, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

Mr. N.K. Verma, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.141 dated 14.06.2018 under Sections 406, 420, 120-B IPC, registered at Police Station Sadar Khanna, District Ludhiana.

As per allegations in the FIR, registered at the instance of complainant Kulwinder Singh, petitioner Harpreet Singh along with one Sandeep Singh and some other persons have committed a fraud with him on the pretext of sending his son to Canada and in that process, the complainant, who is employed in BSF, has paid an amount of Rs.11.50 lacs. The accused persons, instead of sending son of the complainant to Canada, sent him to Sri Lanka, from where he returned back. It is further alleged in the FIR that only Rs.50,000/- have been received by the petitioner and the remaining amount was

received by co-accused Sandeep Singh and the police is unable to trace his whereabouts.

In reply, learned State counsel, on instructions from the Investigating Officer, who is present in the Court, has opposed the prayer for bail on the ground that recovery of the documents like Aadhar Card, passport and some other documents, is yet to be effected, therefore, custodial interrogation of the petitioner is required.

Learned counsel for the complainant has placed on record the documents relating to ICICI Bank account of complainant Kulwinder Singh, vide which the amount was transferred in the name of petitioner Harpreet Singh and co-accused Sandeep Singh.

After hearing learned counsel for the parties, considering the allegations in the FIR that on the pretext of sending son of the complainant abroad (Canada), he was sent to Sri Lanka, from where he returned back and in that process, petitioner Harpreet Singh and co-accused Sandeep Singh have duped the complainant of Rs.11.50 lacs and have also not returned the Aadhar Card and passport of son of the complainant. Moreover, co-accused Sandeep Singh is absconding and therefore, custodial interrogation of the petitioner is required to unearth the entire plot.

In view of the above, I find no ground to grant anticipatory bail to the petitioner and the present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

27.09.2019

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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No