

CRM-M-48031-2018

Date of decision: February 22, 2019

Pawandeep Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**Present:** Mr. S.S. Brar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Nitesh Singh, Advocate
for the complainant.**ARVIND SINGH SANGWAN, J.**

Prayer made in the petition is for grant of regular bail to the petitioner in case FIR No.25 dated 6.3.2017 under Sections 406 and 420 registered at Police Station Sadar Raikot, Ludhiana.

Counsel for the petitioner submits that as per the allegations in the FIR, the petitioner alongwith his co-accused have obtained 20-20 lacs from the complainants/victims on the pretext of sending them abroad. It is further stated in the FIR that the accused persons were running an institute in the name and style Captain's Institute of Educational and Immigration Services Private Limited and after obtaining the amount, they have neither send the complainant abroad nor provided any visa. It is further stated in the FIR that even the passport was not returned.

Counsel for the petitioner has argued that the petitioner is also a victim in one of the FIR No.32 dated 11.3.2016 registered at Police Station, Crime Branch, Delhi.

Counsel for the petitioner further submits that the challan has been presented; the petitioner is in custody since 18.5.2018 and the offences are triable by the Court of Magistrate.

In reply, learned State counsel as well as the counsel for the complainant has opposed the prayer of the petitioner. Learned State counsel, on instructions from HC Ram Rattan stated that the charges in this case is framed on 4.2.2019 and the same is now fixed for prosecution evidence.

Learned State counsel has submitted that the petitioner is a habitual offender and he is accused in a number of other FIRs, which are given below :-

- “1. FIR No.25/17, under Section 420 registered at Police Station Sadar, Raikot, Ludhiana;
2. FIR No.85/17, under Section 420 registered at Police Station Sadar, Raikot, Ludhiana;
3. FIR No.130/18, under Section 420 registered at Police Station Sadar, Raikot, Ludhiana;
4. FIR No.85/17, under Section 420 registered at Police Station Mehal Kalan, Barnala;
5. FIR No.25/17, under Section 420 registered at Police Station Badhni Kalan, Barnala; and
6. FIR No.57/17, under Section 420 registered at Police Station City Raikot, Ludhiana;

Learned State counsel further submits that there are number of victims/complainants in the aforesaid FIRs where the petitioner has played the offence of fraud and cheating by obtaining huge amount in lacs on the pretext of sending the victims/complainants abroad.

In reply, the counsel for the petitioner has submitted that the petitioner is on bail in FIR No.85/17 under Section 420 registered at Police Station Sadar, Raikot, FIR No.57/18 under Section 420 registered at Police Station City, Raikot and FIR No.85/17 under Section 420 registered at Police Station Mehal Kalan, Barnala. However, he is in custody in the other FIRs.

After hearing learned counsel for the parties, I do not find it a fit case for granting the regular bail to the petitioner, at this stage, considering the serious allegations in the FIR and also the fact that the petitioner is involved in a number of FIRs of similar nature.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

February 22, 2019
satish

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