

CRM-M-6093-2020 (O&M)

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

**CRM-M-6093-2020 (O&M).
Decided on: February 18, 2020.**

Harvinder Singh

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Maninder Arora, Advocate,
for the petitioner.**

Mr.Ajay Pal Singh Gill, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

Through the present second petition filed under Section 439 Cr.P.C., the petitioner prays for the grant of regular bail in case FIR No.143 dated 16.09.2019, under Sections 406, 419, 420, 465, 467, 468 and 120-B IPC, registered at Police Station, Mataur, District S.A.S. Nagar.

Learned counsel for the petitioner has argued that allegations against the petitioner as contained in the FIR are that a complaint was moved by one Jagdip Kaur in which she had alleged that she

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had relations with one Harpal Kaur who was running a boutique where she met one Paramjeet Kaur who is wife of the petitioner. Said Paramjeet Kaur claimed that she has relations with various travel agents of Mohali and she had also bought some plots from PUDA on cheaper rates as she is in this business of doing so by getting the cancelled plots of PUDA due to non-payment of installments and then selling the same on higher rates and in this way, she had induced the complainant to give Rs.40 lacs on that pretext. She stated that she had sold one of the two plots at Rs.70 lacs and had deposited Rs.3 lacs in the account of the complainant but remaining Rs.67 lacs were not paid and the same has not been returned.

Learned counsel for the petitioner has argued that the petitioner is the husband of aforesaid Paramjeet Kaur and has been wrongly roped up in the present FIR and therefore, prayed for the grant of regular bail.

On the other hand, learned State counsel has submitted that in the present case both, the petitioner and his wife namely Paramjeet Kaur had been duping people on the pretext of buying some plots of PUDA and then reselling the same at higher rates and then committing fraud upon number of people including the complainant. He has further submitted that 5 more complaints have been received from different people in this regard regarding similar kind of frauds being committed by the petitioner and his wife. He has further submitted that total amount pertaining to different people was to the tune of Rs.1,89,00,000/- and these 5 complaints are now made part of the FIR. He has further submitted that it is a case where the

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fraud is committed by the petitioner and his wife with public at large and further, more complaints of similar nature are being received by the police and therefore prays for the dismissal of the present petition. He has further submitted that custody certificate would show that the petitioner has undergone 4 months and 29 days. He has further argued that there is every possibility that if the petitioner is released on regular bail, he may influence the witnesses.

I have heard the learned counsel for the petitioner as well as learned State counsel and perused the paper book.

In the present case the allegations which have been stated in the FIR although are pertaining to the complaint wherein it is alleged that Rs.40 lacs were taken by the wife of the petitioner and thereafter Rs.3 lacs were deposited but the remaining amount of Rs.37 lacs were not paid but the stand which has been taken by the State in this case is that the petitioner and his wife have been involved in these fraudulent activities with other people as well. The statement made by the learned State counsel that 5 more complaints have been received from different people which have now become a part of the FIR itself, the amount of lacs of rupees would certainly become a determinative factor while deciding the bail application. The allegations are not only pertaining to the present FIR but also with regard to many other complaints in view of which the offence would attain seriousness and gravity of the offence would get amplified. However, on the basis of facts and circumstances, the State has also argued that there is every possibility that in case the petitioner is released on bail then he may

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influence the witnesses and even tamper with the record.

Therefore, considering the totality of the circumstances of the case, I do not deem it a fit case to grant the concession of regular bail to the petitioner, at this stage. The petition is hereby dismissed, at this stage.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

February 18, 2020.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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