

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

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**CRM-M-20637 of 2020
Decided on:28.07.2020**

Kanwar Sultan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present : Mr. Parveen Singhai, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

(The proceedings are being conducted through
video conferencing, as per instructions)

G.S. Sandhawalia, J. (Oral)

The petitioner seeks benefit of anticipatory bail in FIR No.200 dated 15.12.2019 under Sections 420/120B of IPC, registered at Police Station City-1, District Sangrur. The FIR has been lodged by complainant Mohla Singh.

Counsel for the petitioner has vehemently argued that the petitioner has only worked for the company M/s Singh Land Real Estate Infratek Limited and is known to the promoter of the said company namely Savinder Singh Khokhar who is uncle of the petitioner. He has thus been roped as an accused in the present case and therefore, he is willing to join the investigation. It is further submitted that he is working as a carpenter and living in the area of Tughlakabad in New Delhi. Therefore, there is no connection with the misappropriation or cheating and he was not involved

in the misappropriation of the amount of the complainants.

On the other hand, State counsel has pointed out that from even the FIR and the proceedings attached by the petitioner himself, another FIR has also been registered bearing FIR No.107 dated 28.11.2017 under Sections 420/406/120-B IPC, PS City-1, Sangrur. It is further submitted by the State counsel on instructions from ASI, Ranjit Singh that there are three FIRs lodged against the petitioner of similar nature and therefore, it is not a fit case for grant of anticipatory bail.

The petitioner has been specifically named by the complainant Mohla Singh and by the other complainants also as how they had invested the money to get interest with the company M/s Singh Land Investments Ltd. Three accused namely Rani Garg, Babla Ram and Jeevan Kumar had arranged a meeting with other accused Sohrab Singh Khokhar, Ravinder Kaur Khokhar, Kanwar Sultan Singh (petitioner), Shamsher Singh and Suvinder Singh Khokhar and the FDR had matured but the money had not been returned. Rather the complainants had been threatened and thus the money has been usurped. Matter prima facie was inquired into by the investigating agency. It has come on record that the company had been given recognition of RBI and FDRs as such had been issued. The cheques given by the company had bounced and the office shut down. In such circumstances, the FIR had been lodged.

In the above circumstances, it has been noticed by the learned Sessions Judge, Sangrur that complainants Mohla Singh, Gurpreet Kaur, Sukhwinder Singh and Resham Singh, had been cheated of Rs.4,18,500/-.

It is mainly argued by the counsel for the petitioner that he has got interim protection by the Courts in other cases, therefore, the same should be granted. The said argument is a double edged sword. Admittedly other complainants are aggrieved against the petitioner who seems to be a habitual offender as such and involved in cheating a large number of similarly situated persons on the same pretext.

It is settled principle that anticipatory bail is not a matter of right as such and it is to be granted in exceptional cases. The investigation is still going on and it is to be gone into by the investigating agency as how the money was misappropriated and by whom the terms of investment had been held out. In such circumstances, if the protection for arrest is granted to the petitioner then the investigation will not be able to go to the bottom of the conspiracy as a large number of persons have managed to dupe gullible small investors under the pretext of a limited company having its office in Sangrur and the main office in New Delhi.

Accordingly, as such no case is made out for grant of anticipatory bail.

Dismissed.

28.07.2020
Parveen

(G.S. SANDHAWALIA)
JUDGE

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