

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

CRM-M No.16875 of 2020 (O&M)

Date of decision: 9th July, 2020

Surender @ Sinder

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

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

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for the respondent/State.

Mr. Sourav Sharma, Advocate for the complainant.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video conferencing on account of outbreak of pandemic COVID-19.

Petitioner Surender alias Sinder, who is an accused in case bearing FIR No.279 dated 28.05.2020 under Section 420 IPC pertaining to Police Station Thanesar, District Kurukshetra, has come up in this first anticipatory bail application under Section 438 Cr.P.C. The allegations against the petitioner in brief as canvassed before this Court by the two sides are that complainant Sohil filed a complaint that the accused petitioner along with his co-accused non-applicant Jaswant enticed the complainant for sending his son to USA on work permit and on that pretext took ₹18.00 lacs. It is thereafter, it transpired that the accused along with his gang of conmen duped the complainant and tried to smuggle him into the country where he was arrested.

Learned counsel for the petitioner Mr. Vikram Singh, Advocate inter alia contends that the petitioner was earlier allowed anticipatory bail in case FIR No.95 dated 28.05.2020 under Sections 406, 420 IPC pertaining to Police Station Dhand, Kaithal by way of orders dated 12.06.2020 passed by the Court of learned Additional Sessions Judge, Kaithal and that the complainant did not have the financial capacity to pay such an amount and therefore, prayed for grant of bail.

Learned State counsel Mr. Baljinder Singh Virk, Dy. Advocate General, Haryana assisted by Mr. Sourav Sharma, Advocate representing the complainant though has not disputed the facts brought to the notice of the Court but has vehemently opposed the bail claiming that custodial interrogation of the petitioner is very much essential to unearth the entire nexus of this fraud and that the investigations are still underway.

Going through the submissions of the two sides, admittedly the petitioner is facing three other criminal cases for the similar allegations, is reflective of his trading in such human trafficking. More so, as has been brought to the notice of this Court, similar bail application of co-accused has been dismissed by this Court vide orders dated 16.06.2020 passed in CRM-M No.15211 of 2020 and the case of the petitioner is on similar pedestal. In view of seriousness of the allegations and heinousness of the offence disentitles the petitioner to any relief. Thus, the present petition being without any merit stands dismissed.

(FATEH DEEP SINGH)
JUDGE

July 9, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No