

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

CRM-M-19519-2020

Date of decision:-27.7.2020

Jeevanjot Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.PKS Phoolka, Advocate for the petitioner.

Mr.Harbir Sandhu, AAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by the petitioner – Jeevanjot Singh, aged about 29 years, an accused in FIR No.0092 dated 7.6.2020 for the offence under Section 420 IPC, registered with Police Station Civil Lines, Bathinda.

Briefly stated, the facts of the case as per the prosecution story are that, complainant Santram Singh son of Harbans Singh, a resident of village Manuke Gill, Police Station Baghapurana, District Moga, a serving Indian Army personnel posted at Leh Ladakh had submitted a written complaint addressed to SSP, Bathinda seeking taking of action against Manish Arora and Jeevanjot Singh (present petitioner) inter alia contending therein that Jeevanjot Singh is his brother-in-law in relations, who has been working in loan branch of HDFC Bank; he had

talked with Jeevanjot Singh that he needed Rs.3 lakhs and Jeevanjot Singh should get that loan sanctioned to him; Jeevanjot Singh came to him at Pathankot, where he was temporarily posted and got all the documents signed; as such a loan of Rs.6 lakhs was sanctioned; that amount was credited in the bank account of complainant; the loan was repayable in monthly installment of Rs.15,712/-; subsequently the complainant contacted Jeevanjot Singh telephonically and told him that he had need of Rs.3 lakhs only and so that could pay the installment easily, then Jeevanjot Singh asked the complainant to return Rs.3 lakhs to the bank; he had talked with Manish Kumar Arora, Bank Manager; at the asking of Manish Kumar Arora, the complainant deposited Rs.2 lakhs in the bank account No.50100116864185 of Manish Kumar Arora through net banking and Rs.1 lakh in the account No.15892191018559 of Neha wife of Jeevanjot Singh; however, subsequently the installment deducted from the salary of complainant remained same, which was on loan of Rs.6 lakhs; the complainant inquired from Jeevanjot Singh, then he replied that he had not returned the money to the bank, which was with him and he would either deposit the amount with the bank within two months or return it to the complainant; after two months, when the complainant inquired from Jeevanjot Singh but he did not given satisfactory reply; lateron the complainant came to know that Jeevanjot Singh had left the job. The complainant contended that Manish Kumar Arora and Jeevanjot Singh in connivance with each other had committed fraud of Rs.3 lakhs with him. While sanctioning loan of Rs.6 lakhs to the complainant one credit card of the limit of Rs.60,000/- was also issued to him but it was

used by Jeevanjot Singh. On this criminal complaint, the matter was inquired into by the police and allegations in the complaint were found to have merit. It was observed that Manish Kumar Arora on saying of Jeevanjot Singh had deposited Rs.42,000/- in account of Avtar Singh for getting released motorcycle and it was so done, whereas remaining amount was given by Manish Kumar Arora in cash to Jeevanjot Singh. Thus a fraud of Rs.3,66,000/- by Jeevanjot Singh was detected. On basis of such written complaint, formal FIR was registered.

Apprehending his arrest in this case, the petitioner had approached the Court of Sessions seeking grant of pre-arrest bail by filing an application, however, his such request was declined by learned Additional Sessions Judge, Bathinda vide order dated 8.7.2020. As such, the petitioner has approached this Court asking for similar relief.

Notice of the petition is given to respondent – State. Mr.Harbir Sandhu, AAG, Punjab has put in appearance on behalf of respondent – State and accepts notice on behalf of respondent - State.

I have heard learned counsel for the parties besides going through the records.

There are grave and serious allegations of cheating and fraud against the petitioner.

In case of **State represented by the C.B.I. Versus Anil Sharma, 1997(4) R.C.R.(Criminal) 268**, Hon'ble Apex Court had observed that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is on anticipatory bail, in a case like this interrogation of suspected person is of tremendous advantage in

getting useful informations.

Custodial interrogation of the petitioner is definitely required for complete and effective investigation. In case custodial interrogation of the petitioner is denied to the investigating agency that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely which is not called for.

Thus finding no merit in the petition, the same stands dismissed.

27.7.2020

Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No