

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

112

**CRM-M-20650-2020
Decided on : 28.07.2020**

Emanuel Masih

... Petitioner

Versus

State of Punjab

... Respondent

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

Present: Mr.Sandeep Arora, Advocate, for the petitioner.

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

G.S. Sandhawal, J. (Oral)

Prayer in the present petition, filed by the petitioner, who is the sole accused, under Section 438 Cr.P.C., is for grant of anticipatory bail in FIR No.95 dated 21.05.2020 under Sections 420, 468, 471 IPC Police Station Dhariwal, District Gurdaspur.

Counsel for the petitioner submits that he is a labourer and willing to join investigation and that he has been falsely roped in.

A perusal of the FIR would go on to show that the petitioner is the sole accused and a complaint had been filed by 6 persons who have been duped on the assurance that they would be given a job with the MES Department, Jalandhar & Pathankot. A sum of Rs.45,000/- each was received from the said persons and the total amount of Rs.1 lakh was to be paid per person. The transaction is allegedly between May, 2015 to May, 2019 and the complainants only found out that the letters of appointment were forged when they went to join at the concerned place.

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

112

CRM-M-20650-2020

-2-

The Chief Engineer, MES, Pathankot has found that the appointment letters were forged and therefore, the petitioner is alleged to have received a sum of Rs.2,70,000/- from the complainant, from the forgery.

The custodial interrogation would, therefore, be necessary to find out as to where the appointment letters had been printed and as to how the petitioner had been able to get the stamps etc. of the department and whether there are other person(s) who are associated in helping the petitioner in the crime. It is not that the petitioner has been falsely roped in as there is as many as 6 gullible complainants who have been promised public employment by the petitioner. In such circumstances, the benefit of anticipatory bail is not to be granted as the police is to go into the root of the matter which can only be done by way of custodial interrogation.

Resultantly, in view of the above, the present petition is dismissed.

**(G.S. SANDHAWALIA)
JUDGE**

JULY 28, 2020
sailesh

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No