

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(106)

CRM No. M-23772 of 2020
Date of Decision : 21.08.2020

Sanjay Bakshi

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Inderjeet Singh, Advocate for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

Mr. Karan Nanda, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No. 573 dated 12.12.2019, under Sections 406, 420, 467, 468, 471 and 120-B Indian Penal Code, 186O, registered at Police Station Sector-5, Panchkula, District Panchkula.

Learned counsel for the petitioner states that petitioner has been falsely implicated in the present case though, petitioner has nothing to do with the allegation of the complainant that he had assured the complainant and his family the permanent visa and citizenship of Canada for which, a demand was raised and a sum of Rs.1,59,60,000/- has been paid. Learned

counsel for the petitioner states that in fact the petitioner is not an immigration agent but, the amount, which is being attributed to the petitioner by the complainant, was for the purpose of remitting the same to a firm in Canada, which was being administered by one Sikander Singh.

Notice of motion.

Ms. Safia Gupta, Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State and Mr. Karan Nanda, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of the complainant.

Learned State counsel as well as learned counsel for the complainant submits that the petitioner has other FIRs regarding duping the persons on the pretext of sending them abroad pending against him. Learned State counsel submits that there are two other FIRs i.e. FIR No. 15 dated 03.01.2020, registered at Police Station Rupnagar, Punjab and FIR No. 167 dated 01.04.2019, registered at Police Station Sector-34, Chandigarh, against the petitioner on these allegations itself. The above said fact is not being denied by the learned counsel for the petitioner.

I have heard learned counsel for the parties and have gone through the record very carefully.

From the facts detailed above, prima facie petitioner is an immigration agent and in fact, the similar allegations of duping the person on false assurance of giving them the permanent residency of Canada have been alleged against him on the earlier occasions also. Keeping in view the

said fact that the petitioner is a habitual offender of the allegation alleged against him in the present FIR.

Further, the amount paid by the complainant is yet to be recovered and the truth behind the duping of innocent people by the petitioner is yet to be unearthed, hence the custodial interrogation of the petitioner is very necessary. No ground is made out to grant the petitioner the benefit of anticipatory bail and the same is hereby dismissed.

August 21, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

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