

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-48324-2019(O&M)

Date of Decision:- 20.2.2020

Rulda Singh Chauhan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanyam Bhardwaj, Advocate, for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.154, dated 1.8.2019, Police Station Dehlon, District Police Commissionerate, Ludhiana, under Section 420 IPC.
2. Mr. Parmod Sharma, Advocate has appeared on behalf of the complainant and filed power of attorney. The same is taken on record.
3. The FIR in question was lodged at the instance of Jaspreet Singh wherein it has been alleged that he is a physically handicapped person and is unemployed and was a Graduate. He came in contact

with petitioner-Rulda Singh Chauhan in the year 2016 and who represented that he is working as an Assistant at Punjab Human Rights Commission and was well connected and could get persons employed and also get them enrolled for pension under various government welfare schemes, as he was running a NGO. It is alleged that the complainant was taken in by the said representations and on account of which he parted with an amount of ₹3 lakhs and gave the same to the petitioner which he had taken on the pretext that the same was required for affixing Court fee, police verification, Passport application, GST security fees etc. However, no such benefit as promised by the accused was extended to the complainant.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in fact it is a case where the complainant had given an amount of ₹50,000/- only to the petitioner when the petitioner's wife was unwell and that the said amount was paid back by the petitioner to the complainant and regarding which the complainant also furnished an affidavit (Annexure P-5) admitting that nothing was due against the petitioner.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that the above referred affidavit is in fact in the nature of a statement and is not attested by any authority and in fact the said statement was prepared on a blank paper on which signatures of the complainant had been obtained on the pretext that the same was required for getting his verification done. Learned State counsel has further informed that in fact the

police has also collected telephonic conversation recording which shows that an amount of ₹3 lakh had been taken by the accused and although the petitioner was asked to furnish voice samples but he did not do so. Learned State counsel has further informed that the petitioner had been involved in two other identical cases under Section 420 IPC and that although he stands acquitted in one of the case but one case is still pending.

5. I have considered rival submissions addressed before this Court. The main ground for seeking grant of bail is based on the statement (Annexure P-5) stated to have been made by the complainant-Jaspreet Singh admitting that nothing was due against the petitioner. A perusal of the said statement would show that the complainant is stated to have advance an amount of ₹50,000/- to the petitioner when petitioner's wife was unwell and no interest was to be charged on the said amount so advanced. However, upon a query made by this Court to the learned counsel for the petitioner as to whether the petitioner and the complainant were friends since long so as to have made the complainant advanced an amount of ₹50,000/-, no satisfactory explanation could be furnished. Learned State counsel has however, informed that during the course of inquiry it had been found that an amount of ₹3 lakhs had been paid by the complainant.
6. Keeping in view the aforesaid facts and circumstances and also that the petitioner is involved in other identical case and that the statement (Annexure P-5) does not *prima facie* seems to be reliable enough, this Court does not find any ground for grant of anticipatory bail.

7. The petition is sans any merit and is hereby dismissed.

February 20, 2020

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(GURVINDER SINGH GILL)
JUDGE

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