

CRM-M-49571 of 2019

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

CRM-M-49571 of 2019
Date of Decision: 05.03.2020

Magh Singh

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Ravi Malhotra, Advocate, for the petitioner.
Mr. Pawan Sharda, Sr. DAG, Punjab.
Mr. P.K. Bansal, Advocate, for the complainant.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.111 dated 03.10.2019 registered under Sections 420, 120-B IPC at Police Station Lohian, District Jalandhar.

According to prosecution, petitioner and his accomplice cheated the complainant for ₹25.00 lakh to send his son abroad. However, when son of the complainant, namely, Gurjit Singh was attempting to cross boarder via Mexico, he was apprehended by the American police and was sent in a camp and finally deported to India.

Learned counsel *inter alia* contends that petitioner has falsely been implicated. In fact, petitioner had paid ₹4.00 lakh to the complainant as a friendly loan. When petitioner asked the complainant to return the said loan amount, complainant gave him beatings and refused to return the

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amount, for which petitioner registered FIR against the complainant, besides institution of a suit for recovery of ₹4.00 lakh against him. Five co-accused of the petitioner have been declared innocent during investigation.

Refuting above submissions, learned State counsel, assisted by learned counsel for the complainant, submits that till date even a single penny out of cheated amount of ₹25.00 lakh could not be recovered from the petitioner. Alleged suit for recovery of ₹4.00 lakh filed by the petitioner and FIR got registered by him against the complainant for beating him, are counter-blast. Both the above actions of the petitioner are completely false and concocted.

Having given thoughtful consideration to the rival submissions, this Court is not inclined to grant anticipatory bail to the petitioner. He is very much required for custodial interrogation to know about his *modus operandi* inasmuch as in the recent past, human trafficking has alarmingly increased in the State of Punjab. Recovery of the cheated amount has also to be effected from the petitioner.

Dismissed.

March 05, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No