

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

CRM-M-5031-2021 (O&M)

Date of decision: 25.02.2021

Jagjit Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

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

Present: Mr. Avinash Mandla, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioners Jagjit Singh and Gurlal Singh, both of them being accused in FIR No.0006 dated 12.01.2021, for offences under Sections 420 and 120-B of IPC, registered with Police Station Kalanaur, District Gurdaspur.

Notice of motion.

Mr. J.S. Ghuman, DAG, Punjab, accepts notice on behalf of the respondent-State.

Briefly stated the prosecution story is that, on 27.05.2018, petitioners-Jagjit Singh and Gurlal Singh told complainant Amritpal Singh that they had opened a company in the name and style of Future

Maker Company and as per business of the company, in case of any person investing money with their company, he would get return through cheques every month; as such, the petitioner induced the complainant to part with Rs.4,27,500/-; however, that amount was not accounted for and was not returned to the complainant; feeling aggrieved, the complainant addressed a written complaint to the Senior Superintendent of Police, Gurdaspur; on receipt of the complainant, an enquiry into the matter was conducted, which revealed that petitioners/accused had promised to double the amount invested in their company, inducing the complainant to give a sum of Rs.4,27,500/- to them in cash but the amount was neither reflected in the account of complainant nor returned; in that way, the petitioners had duped the complainant with sum of Rs.4,27,500/-; accordingly, FIR was registered; the investigation in the case started.

Apprehending their arrest in this case, petitioners/accused had approached the Courts of Sessions at Gurdaspur by moving an application for grant of pre-arrest bail. Their such application was assigned to Addl. Sessions Judge, Gurdaspur, who vide order dated 21.01.2021, dismissed the same. Feeling aggrieved, the petitioners have approached this Court, craving for grant of similar relief, which request is being opposed by the State counsel.

I have heard learned counsel for the parties besides going through the record and I find that no ground is made out to grant anticipatory bail to the petitioners. There are specific allegations

against the petitioners of having played fraud with the complainant and cheating him of substantial amount of Rs.4,27,500/- on the pretext of doubling the amount as per business of their company. The amount has not been refunded to the complainant either in part or in whole. Since an innocent person has been made victim of fraud by the petitioners, the allegations against them are very serious and grave, requiring their custodial interrogation to effect the recovery of the amount belonging to the complainant and to find out whether the petitioners have played similar fraud with other investors, if so, the details thereof. In case, the custodial interrogation is denied to the investigating agency that shall leave many gaps, loopholes and lacuna, adversely affecting the investigation, which is uncalled for. Thus, considering the facts and circumstances of the case, no case for grant of pre-arrest bail to the petitioners is made out. The petition is found to be without merit and is dismissed accordingly.

25.02.2021

sumit.k

(H.S. MADAAN)
JUDGE

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