

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

(Heard through VC)

CRM-M-21279 of 2021 (O&M)
Date of Decision: May 28, 2021

Charan Dass

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Hitesh Pandit, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.78 dated 20.04.2021, registered under Sections 406, 420, 34 of Indian Penal Code at Police Station City, Nawanshahr.
2. Counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the present case, as the allegations of cheating by inducement are against one Gurmeet Singh and not upon the petitioner herein.
3. Notice of motion.
4. At this stage, Mr. H.S. Sitta, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the

respondent-State. He opposes the grant of anticipatory bail to the petitioner, while contending that the name of the petitioner has been mentioned in the FIR. It is submitted that Gurmeet Singh induced the complainant to transfer the money into the account of the petitioner herein and thus, they by conniving with each other, committing cheating with the complainant.

5. I have heard learned counsel for the parties.

6. A reading of the FIR would reflect that said Gurmeet Singh, who is the cousin brother of the petitioner, had promised that the complainant would reach France. Initially, the complainant and his family members were sent to Armenia on Visitor's Visa in the year 2018 by an arrangement made by Rocky Travel Agent, Chandigarh. After reaching Armenia, the complainant planned to go to France, however, they had no Visa for entry in France. Thereafter, they met Gurmeet Singh, who told that he could send them to France on paying an amount of ₹ 5 lacs, which amount had been handed over to Gurmeet Singh. Said Gurmeet Singh told the complainant to pay further sum of ₹ 14 lacs to him or Charan Dass, who is none other than the petitioner herein. The complainant contacted his daughter residing in U.K. and she, thereafter, transferred an amount of ₹ 14 lacs into the account of Charan Dass in 2-3 installments. As Gurmeet Singh failed to make arrangement to send the complainant to France and they were consequently deported as their Visa had expired, the complainant reached India and asked for the money to be returned, which was declined and this led to the registration of the present FIR.

7. The argument as raised by the counsel for the petitioner that he

had not raised any demand or induced the complainant to part with the amount, would not be sustainable at the present moment. As per the contents of the FIR, an amount of ₹ 14 lacs was transferred into the account of the petitioner herein, which is yet to be recovered from the petitioner, as such, the matter needs to be investigated. Under these circumstances, once custodial interrogation of the petitioner is required for a result oriented investigation, this court is not inclined to grant anticipatory bail to the petitioner.

8. In view of the above, the instant petition is hereby dismissed.

May 28, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No