

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

**CRM-M-22101-2020
Date of decision: 06.07.2021**

Balbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Dilpreet Singh Gandhi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 169 dated 06.11.2020, registered under Sections 420, 406 of the IPC at Police Station Anandpur Sahib, District Rupnagar.

Learned counsel for the petitioner submits that the FIR was registered at the instance of number of complainants/victims against Jaswinder Kaur w/o Tejwant Singh, Rana Vikram Singh s/o Tejwant Singh, Simran Kaur d/o Tejwant Singh, Sanvin Kaur w/o Harjit Singh, Harjit Singh, petitioner Balbir Singh @ Sunny s/o Gurdip Singh, residents of Gobind Villa, Plot No. 63, Dineshwar Nagar, Satara Perisar, Aurangabad, Maharashtra with the allegations of committing fraud and cheating with the complainants/victims by taking cash and gold ornaments with a promise to return the double of the amount within a period of two years or in the alternative, to provide a plot.

Learned counsel further submits that it is further stated in the

FIR that all the accused, by hatching conspiracy with each other, have committed cheating with several persons.

Learned counsel further submits that primary allegations are against co-accused Jaswinder Kaur and her family members, who are the Directors/Promoters of the company namely 'New Tejas Property and Developers', 'Khushi Builders and Developers' and 'M/s Tejas Properties'.

All the persons, in conspiracy with petitioner Balbir Singh, have set up an office of the company in the house of Jaswinder Kaur, where all the accused, in conspiracy with each other, would allure the people to invest their money with a promise that they will return the double of the amount after two years and if gold is given, the accused persons will then return the double amount of the value of the gold articles with a further promise that if they are unable to give the double of the invested amount, they will provide a plot to such people.

Learned counsel for the petitioner further submits that since the petitioner is not the Director/Partner of the aforesaid companies, therefore, he has no role to play in the commission of offence. Learned counsel further submits that allegations are against other accused that they have received money and gold articles.

Learned State counsel has filed a comprehensive reply and submits that there are 110 victims and during investigation, statement of 45 victims have been recorded and they have named the petitioner as one of the accused, who was the promoter of aforesaid companies and has taken active part in the conspiracy with other accused in alluring and giving false promises to victims.

Learned State counsel further submits that accused persons, in

all, have committed fraud of about Rs. 200 Crore. It is further submitted that in the pamphlet, issued by the M/s Tejas Properties, the name of the petitioner was shown as one of the promoters. It is also submitted that there are agreements signed by the petitioner on behalf of M/s Tejas Builders.

Learned State counsel further submits that since there are number of victims, the custodial investigation of the petitioner is required to find out where the hard earned money of 110 victims has been utilized by the accused persons.

After hearing learned counsel for the parties and going through the records and reply and also in view of the some of the statements made by the victims, wherein the petitioner is specifically named as one of the promoters of the said company, I find no ground to grant concession of anticipatory bail to the petitioner.

Accordingly, the present petition is dismissed.

06.07.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No