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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-30058-2021

Date of Decision: 09.08.2021

Gurbir Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Jatinder Nagpal, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

[1] The matter is taken up for hearing through video conference due to COVID-19 situation.

[2] This is a petition under Section 438 of Cr.P.C. for grant of anticipatory bail in F.I.R. No. 106, dated 30th July, 2019, under Section 420 of IPC, registered at Police Station Urban Estate, District Patiala.

[3] The F.I.R. was registered on receiving an application from Sucha Singh. As per the allegations, Rani working as a Helper in Mai Bhago Hostel, introduced the complainant to Gurbir Singh (petitioner) stating that he is like her brother and is well connected with higher officials as well as Ministers and can get his grand-son (*dauta*) appointed as a Clerk/*Sewadar* in the High Court. The complainant along with his grand-son was called by Rani with qualification

certificates. They were informed that vacant posts of Clerk in the High Court are being advertised and grand-son of complainant can be got appointed. It was promised that joining will take place on or before 31st March, 2018. The petitioner demanded Rs. 1 lakh, out of which Rs. 75,000/- were paid in advance. After few days, friend of complainant Chandan Singh showed interest for getting appointment for his both the sons. Petitioner and Rani demanded Rs. 2 lakhs, out of which Rs. 1.50 lakhs were paid in advance. The petitioner informed the complainant that interview of children would be held before 21st February, 2018 and were asked to arrange for the balance amount. Further, Rs. 14,000/- per candidate were demanded by the petitioner and the amount was paid. The complainant and his friend made regular enquiry from petitioner and Rani, who assured that work is being done. They were further asked to pay Rs. 3,400/- per candidate for dope test. Till date neither any appointment letter was issued nor the amount was refunded.

[4] Mr. Jatinder Nagpal, learned counsel for the petitioner submits that Rani received the amount and not the petitioner. She was necessary party but has not been named as accused. He further submits that present F.I.R. is counter blast of the complaint made by the petitioner against some employees of P.S.P.C.L.

[5] Ms. Monika Jalota, Deputy Advocate General, Punjab opposes the prayer for grant of bail. She submits that petitioner is involved in number of F.I.R.s having similar allegations. She further

argues that his custodial interrogation is necessary to unearth the *modus operandi* as more complaints are being received against the petitioner.

[6] Learned counsel for the petitioner submits that out of ten F.I.R.s against the petitioner, he is acquitted in three F.I.R.s and in rest trials are pending and he is on regular bail.

[7] The allegations against the petitioner are serious. He has promised four persons for getting appointment in High Court and got money. There are specific allegations against petitioner of demanding money and receiving amount. The involvement in other F.I.R.s is an indicator of the antecedents of the petitioner. Petitioner failed to show any link between the complaint made by him and F.I.R.s registered against him. It is a case where deeper probe is required to unearth the *modus operandi* being adopted.

[8] No ground is made out for grant of anticipatory bail.

[9] The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

9th August, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes