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

CRM-M-34248-2021

Date of decision-01.09.2021

Harsimrat Singh @ Harsimrat Singh BajwaPetitioner

Vs.

State of Haryana ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amandeep Singh Manaise, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Parminder Singh, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.153 dated 01.06.2021 under Sections 406, 420, 370, 384 and 34 Indian Penal Code, 1860 and Section 24 Immigration Act, 1924 registered at Police Station Ramnagar, District Karnal.

The FIR was registered on the complaint moved by Lakhwinder Singh and the allegations as noticed by the learned Additional Sessions Judge, Karnal in the order dated 09.08.2021 are as under:

“It is the case of the prosecution that a complaint was made to I.G.Karnal Range on 22.05.2021 by complainant Lakhwinder Singh son of Banta Singh, resident of village Budanpur Viran, District Karnal

which was received on 01.06.21021 at Police Station Ram Nagar, Karnal. It is the substance of the allegations of the complainant that his son/victim Vikramjit Singh aged 30 years was willing to go abroad on working visa. He had expressed his such desire to his friend Sandeep Singh who in November 2020 got contacted victim with accused/petitioner Harsimrat Singh. Petitioner told to the victim that petitioner was carrying the business of sending people abroad and he had sent hundreds of people who were well settled in abroad. Petitioner allured victim to send him to German. Petitioner also claimed that his father/co-accused Tehinder Singh was living in Turkey from where he will manage victim to go to German. Petitioner demanded Rs.15 lakhs for the work to be payable in two installments, first of Rs.8 lakhs payable in advance and balance Rs.7 lakhs to be kept with Karan Singh (cousin of petitioner).”

Learned counsel for the petitioner has argued that the petitioner is not engaged in the alleged activity of sending people abroad and the complainant never met the petitioner. According to him, the amount, if any, was paid to Karan Singh, who is not an accused and nothing was received by the petitioner, who has been falsely implicated in this case. According to him, the petitioner is having strained relations with his father and therefore, in the given facts his custodial interrogation may not be necessary as he is willing to join the investigation.

The prayer is opposed by learned State counsel assisted by ASI Manoj Kumar as well as by learned counsel for the complainant. According to them, the son of the complainant was sent to Turkey and thereafter whereabouts of the complainant's son are not known. The amount of Rs.15 lacs demanded by the accused persons was to be paid in two parts i.e.8 lacs before the departure and the remaining after the

complainant's son would reach his destination. It is pointed out that a sum of Rs.8 lacs was paid to the petitioner and the remaining amount was paid after the arrival of Vikramjit Singh at Turkey through the account of Karan Singh. According to the learned State counsel, the allegations are serious and to locate whereabouts of the complainant's son, the custodial interrogation of the petitioner is necessary.

Considering the seriousness of the allegations and the nature of crime, this Court is of the opinion that it is not a fit case for extending the concession of pre-arrest bail to the petitioner as his custodial interrogation may be necessary to unravel the truth.

Dismissed.

01.09.2021

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(MANOJ BAJAJ)
JUDGE

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