

In virtual Court

CRM-M-40209-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40209-2021 (O&M)
Date of decision: 27.09.2021

Lovepreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Prateek Sodhi, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this 2nd petition is for grant of anticipatory bail in FIR No.157 dated 12.07.2020 under Sections 420, 120-B IPC, registered at Police Station Lopoke, District Amritsar Rural; earlier one was dismissed on 10.09.2020.

On 10.09.2020, following order was passed: -

“...The allegations in the FIR, registered at the instance of one Gurdial Singh, are that the petitioner – Lovepreet Singh, his mother Rajwinder Kaur, his brother Harry and one Suba Singh, have committed a fraud and have enticed the complainant and his daughter namely Madhu Bala to get an employment in a bank.

Counsel for the petitioner has argued that the allegations pertains to the year 2017, whereas the FIR has been registered on 12.07.2020 and in the meantime, the petitioner has filed two civil suits for permanent injunction praying for a decree that the respondent be restrained from harassing him, however, the complainant has not appeared in those cases. It is further argued that in fact, the complainant has given a cheque of Rs.50,000/- in favour of the petitioner and due to this reason, this FIR has been registered.

A perusal of the FIR show that primary allegation against the petitioner is that he along with his mother has approached the complainant and his daughter to provide a job in Canara Bank and on that pretext, he demanded money after giving his bank account details and thereafter, some amount was transferred in his bank account in Oriental Bank of Commerce. Thereafter, again some amount was given to him as detailed in the FIR.

Counsel for the petitioner, at this stage, argued that the mother of the petitioner has already been granted the concession of interim bail by this Court vide order dated 04.09.2020 passed in CRM-M No.25882 of 2020.

In reply, counsel for the State has, however, opposed the prayer for bail on the ground that the petitioner has allured the complainant and enticed him and his daughter to part away the money in order to provide a job to the daughter of the complainant in Canara Bank and in that process, the petitioner obtained money from the complainant. It is also submitted that a civil suit has been filed by the petitioner in anticipation of the fact that the complainant is going to take some legal action. Lastly, it is argued that there no specific allegation against the mother of the petitioner and that is why, she was granted the concession of bail.

After hearing the counsel for the parties, considering the

serious allegations leveled against the petitioner and also in view of the fact that he along with other co-accused has committed a fraud upon the complainant by enticing him and his daughter namely Madhu Bala to get an employment in a bank, I find no ground to grant the concession of bail to the petitioner.

Dismissed.”

This second petition has been filed after a gap of 01 year with no new grounds. Learned counsel for the petitioner seeks to re-argue the entire case.

Learned State counsel has raised an objection that the petitioner is intentionally delaying the investigation of the case by not surrendering before the trial Court.

Considering the fact that a period of more than 01 year has lapsed, when the earlier anticipatory bail petition filed by the petitioner was dismissed and despite the fact that he has not applied for regular bail, I find no ground to entertain this second petition for grant of anticipatory bail.

Dismissed.

**[ARVIND SINGH SANGWAN]
JUDGE**

27.09.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No