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

CRM-M-41157-2021

Date of decision : 16.11.2021

Dilbag Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vinay Kumar, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.162 dated 27.08.2021 registered under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 at Police Station Sujanpur, District Pathankot.

Brief case of the prosecution is that the petitioner alongwith his co-accused Deepak Kumar and Ravel Singh had taken a total amount of Rs.12,00,000/-in order to get employment for son of the complainant as well as son of the complainant's brother-in-law i.e. Harish Kumar and had given fake joining letters of Military Engineer Services (for short "MES").

Learned counsel for the petitioner has submitted that in the present case, no money had been received in the account of the petitioner and as per the allegations, the petitioner is stated to have paid the

complainant on two occasion i.e. on 20.08.2017 and 20.03.2018, whereas on 20.03.2018, the petitioner was on duty in his school which is in Amritsar whereas the incident is stated to have taken place in Pathankot which is at a distance of 100 kms from Amritsar. It is further stated that the petitioner is not involved in any other case.

On the other hand, learned counsel for the State has opposed the present petition for grant of anticipatory bail to the petitioner and on instructions from ASI Yashpal, he has submitted that the petitioner in collusion with other accused had duped the complainant of an amount of Rs.12,00,000/- after having given a promise to him for getting employment for his son and his brother-in-law's son in MES and had issued fabricated joining letters. He has further stated that there are specific allegations against the petitioner having received Rs.3,00,000/- on two occasions.

Keeping in view the abovesaid facts and circumstances, moreso the fact that there are specific allegations in the FIR and as per the same, the petitioner alongwith co-accused had duped the complainant of an amount of Rs.12,00,000/- in order to get the employment for the son of the complainant and his brother-in-law's son in MES and had even participated in the commission of the said offence and had also issued a fake/forged joining letter from MES, the present petitioner does not deserve the concession of anticipatory bail.

The argument of the learned counsel for the petitioner to the effect that the petitioner was working in Amritsar whereas the incident had taken place in Pathankot would also not further the case of the petitioner inasmuch as it is very well possible for the petitioner to be present in

Amritsar and Pathankot on the same day as the distance between the two places is 100 kms. At any rate, the same are pleas of defence which would be open to be taken by the petitioner at the time of trial.

Accordingly, the present petition is dismissed.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

16.11.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No