

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

Sr. No. 207

CRM-M No. 38868 of 2020

Date of decision : 28.10.2021

Inderbir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Raman Mohinder Sharma, Advocate for the petitioner.
Mr. Saurav Khurana, DAG, Punjab.
Mr. Chirag Suri, Advocate for the complainant.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.0019 dated 23.01.2020 registered under Sections 406/420/120-B IPC at Police Station Anaj Mandi, Patiala.

The petitioner and his co-accused are being prosecuted for having accepted Rs.7 lakhs from the complainant on the pretext of getting the complainant's son employed in a Government department.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; co-accused Lakhan Singh has been granted anticipatory bail by the Trial Court; Munish Kumar against whom there are serious allegations raised by the complainant has not even been arrayed as an accused; the allegations against the petitioner are vague as he

is stated to be a Personal Assistant of a high ranking government official without naming the high ranking official; there is no CCTV footage to corroborate the petitioner's presence in the Secretariat Building, Sector 9 Chandigarh and that the petitioner is also ready and willing to join the investigation.

Learned State counsel while referring to the status report filed by the State submits that a deal was struck between Lakhan Singh and his son-in-law Munish Kumar on one hand and the complainant on the other to get the complainant's son employed in a department of the Government on payment of Rs.7 lakhs. In pursuance of such deal the complainant gave a cheque of Rs.1 lakh to Lakhan Singh which was transferred in his account. Thereafter, the complainant along with Lakhan Singh, Munish Kumar and one Manoj went to Civil Secretariat Sector 9, Chandigarh where they met the petitioner who introduced them to Gagan and Satnam Singh. The petitioner further informed the complainant that he was the Personal Assistant of a high ranking government official who had his office in the Secretariat and that, on payment of the balance amount, the petitioner would get appointed the complainant's son on a post in the Government. The complainant then gave the balance amount of Rs.6 lakhs to the petitioner, Munish Kumar and Lakhan Singh. Later, when the complainant's son was not offered any appointment, the complainant filed a complaint with the police. During the course of an inquiry which ensued, the petitioner initially did not appear before the Inquiry Officer and later offered Rs.3.85 lakhs out of the total amount of Rs.7 lakhs paid by the complainant which offer was rejected by the complainant.

Admittedly, in addition to the present case, the petitioner has faced/is facing 4 other criminal cases out of which 3 cases are of fraud and in one case the petitioner is accused of kidnapping. While on bail in these cases the petitioner is alleged to have committed the crime in question. Thus, he has misused the concession of bail on at least 3 occasions.

In the present case the petitioner is alleged to have posed as a Personal Assistant of a high ranking official in the Government of Punjab and along with his co-accused of having lured the complainant to part with lakhs of rupees on the pretext of getting a government job for his son. When the complainant realized that the petitioner and his co-accused were playing fraud with him he filed a complaint with the police. In the inquiry which followed petitioner made himself scarce showing his conduct. Later, he offered to pay Rs.3.85 lakhs to the complainant to settle the matter which offer of his was declined by the complainant.

In the light of the above discussion and in particular the petitioner's criminal antecedents as also the serious allegations in this case, he does not deserve the grant of anticipatory bail.

Dismissed.

28.10.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No