

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8330-2022 (O&M)

Date of decision: 24.03.2022

Sunil Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. F.S. Virk, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for grant of anticipatory bail in FIR No.174 dated 09.07.2021 under Sections 420, 406 IPC, registered at Police Station Kotwali Nabha, District Patiala.

Learned counsel for the petitioner submits that FIR has been registered at the instance of Anil Kumar Goyal with the allegations that petitioner Sunil Kumar and other accused have taken money from 11 victims and have defrauded them.

Learned counsel for the petitioner has raised only one argument that no specific reason has been given in the FIR, for what purpose, money

was given to the petitioner.

Learned State counsel, on the basis of short reply by way of affidavit of Deputy Superintendent of Police, Circle Nabha, District Patiala, has submitted that during the investigation, statements of the victims were recorded, in which it has come that the petitioner is main accused, who, in conspiracy with other family members, has allured the victims to part away the money. It is found during the investigation that mobile numbers of all the persons are closed and details of the amount obtained by all the family members including the petitioner is given in para No.4 of the reply and a total amount of Rs.1,66,02,948/- has been taken by the petitioner and others and in lieu thereof, the petitioner has issued some cheques to the victims, but it was found that there is no amount in the bank account of the petitioner and the cheques were again issued with intention to cheat them. It has also come in the evidence that the petitioner was doing the business in a shop, which he has sold on 30.06.2021 to one Veena Verma for a sale price of Rs.6,80,000/-, though the market value is more than Rs.50.00 lacs and the house, where the petitioner is residing, was mortgaged with DCB Bank, which is already in possession of the same and he is not residing there, though in the present petition, the petitioner has given the same address, where he is not residing as per verification and investigation conducted by the police.

Learned State counsel submits that details of the amount paid by the victim stands collected.

Learned counsel for the complainant has submitted that the victims have recorded their statements subsequent to registration of the FIR, in which they have explained that by giving false allurements of giving higher

rate of interest, amount was given to the petitioner and now he has refused to return the same and even the cheques, which were issued from an account, where there is no amount, further shows intention of the petitioner.

After hearing learned counsel for the parties and considering the serious allegations against the petitioner, I find no ground to grant him the concession of anticipatory bail.

Dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

24.03.2022
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No