

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

CRM-M-20085-2021 (O&M)
Date of Decision:- 19.5.2022

Rajesh Verma @ Rishi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. G.S. Ghuman, Advocate and
Mr. G.P.S. Ghuman, Advocate and
Mr. P.S. Mann, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
assisted by HC Mohan Singh.

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in a case registered vide FIR No. 142 dated 11.5.2019 under Sections 420/120-B IPC and under Section 24 of the Immigration Act, 1983 at Police Station Division No. 8, District Ludhiana.
2. The FIR was lodged at the instance of Satjeet Singh son of Jaswinder Singh wherein it is alleged that the accused namely Robin Verma, Raman Verma, Ramesh Verma, Ajay Arora and Rajesh Verma who are all partners in M/s Canplus Carrier Consultant, Ludhiana had defrauded him of an amount of ₹4 lacs. It is alleged that the accused had got published an advertisement in newspaper in respect of their firm representing themselves to be travel agent in the business of sending people to Canada. The complainant, being taken

in by the said advertisement, contacted the accused by visiting their office and the accused assured that the complainant would be sent to Canada in return of an amount of ₹10 lacs out of which ₹7 lacs would be required to be given in advance. The complainant alleged that he initially gave an amount of ₹4 lacs to the accused on 20.3.2017 and the accused also executed a receipt for the same. Subsequently, the accused called the complainant telephonically and told him that his VISA had been issued and asked him to arrange for the balance amount of ₹3 lacs. However, the complainant could not arrange for the amount immediately. Later, after arranging for the amount when he went to the office of the accused, he was told by the staff members that the owners/accused had gone abroad. Though, the accused visited the said office subsequently several times but the accused were not found there and later the premises were found locked and even their mobile phones were switched off. The complainant, thus, alleged that he had been cheated of an amount of ₹4 lacs.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that even as per the FIR, there is no specific allegation that it is the petitioner who had been entrusted with any amount. It has been submitted that there is no evidence worth credence to establish the allegations as levelled in the FIR and that vague allegations have been levelled therein.
4. On the other hand, the learned State counsel, while opposing the petition, has submitted that the petitioner is specifically named in the FIR and there are specific allegations that the accused alongwith the other co-accused had defrauded the petitioner of a huge amount of ₹4 lacs and that as such, the

petitioner does not deserve the concession of bail, particularly in view of his chequered record. The learned State counsel has informed that the petitioner stands involved in as many as 10 other cases including several cases of identical nature wherein he is alleged to have defrauded several other persons in an identical manner. The learned State Counsel has informed that the petitioner as on date has been behind bars since the last more than 1 year and 2 months.

5. I have considered rival submissions addressed before this Court.
6. There are specific and categoric allegations against the petitioner to the effect that he alongwith other co-accused, partners of M/s Canplus Carrier Consultant had defrauded the complainant of an amount of ₹4,00,000/- on the pretext of sending him to Canada but he was never sent abroad.
7. The manner and extent to which unscrupulous elements defraud gullible people by exploiting their desire to go abroad in search of greener pastures, does not warrant a lenient view in the matter.
8. The petitioner has a chequered record inasmuch as 10 other cases stand registered against him including several cases of identical nature. The same goes to show that the petitioner is a habitual offender and has been repeatedly indulging in defrauding innocent people. In these circumstances, there is no assurance that the petitioner, in case released on bail, will not indulge in similar offences again.
9. The petition is found to be sans merit and is hereby dismissed. ‘
10. The trial Court is, however, directed to take necessary steps for concluding the trial expeditiously. In case, no substantial progress in trial is made

during next six months, it shall be open to the petitioner to approach this Court again.

19.5.2022

kamal

(Gurvinder Singh Gill)
Judge

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