

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

**CRM-M No.21987 of 2021 (O&M)
Date of Decision: 25-07-2022**

Baljeet Singh @ Gurmeet Singh & Others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. B.S. Makkar, Advocate,
for the petitioners.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

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MEENAKSHI I. MEHTA, J.

CRM No.13854 of 2022

This application has been moved on behalf of the applicants-petitioners with a prayer to allow them to place the translated copy of the affidavit, as sworn by Aman Arora, on the record as Annexure P-7.

Notice in the application.

Learned State counsel accepts the notice and submits that he has no objection in allowing the present application.

Keeping in view the above-said fact as well as the reasons as mentioned in the instant application, the same is allowed and the afore-said Annexure P-7 is taken on the record.

CRM-M No.21987 of 2021

Apprehending their arrest in the criminal case arising out of the FIR bearing No.62 dated 19.03.2021 registered at Police Station City Faridkot District Faridkot, under Sections 420 & 120-B IPC, the petitioners namely Baljeet Singh @ Gurmeet Singh, Bittu Singh @ Bharminder Singh and Rupinder Singh (stated to be wrongly so mentioned in the FIR and the actual name stated to be Rupinder Pal Singh) have joined hands to prefer this petition for seeking the relief of pre-arrest bail.

2. Shorn and short of unnecessary details, the allegations, as levelled by complainant Aman Preet Arora in the subject FIR, are that petitioner Rupinder Singh, who used to visit him (complainant) in connection with the business, disclosed to him that his (Rupinder Singh's) brother-in-law named Bittu Singh and his two other friends knew the method of doubling the money. Then, the petitioners and their co-accused Gurmej Singh, visited his shop and they induced him to give money to them so as to get the amount doubled. After some days, they took an amount of Rs.03 lac from him on the pretext of purchasing the equipment for the said purpose. Thereafter, he arranged for the funds and when petitioners Baljeet Singh, Bittu Singh and said accused Gurmej Singh came to his house, he handed over a total amount of Rs.18.70 lac to them. They showed him the bundles of white papers of the size of the currency notes and a few bottles containing some liquids. However, the glass, as being used in the alleged process of doubling the money, got broken and the petitioners took away the above-said amount and have, thus, duped him.

3. Status-report filed on behalf of the respondent-State by way of the affidavit of the Deputy Superintendent of Police, Sub Division Faridkot and the additional/supplementary report, submitted by way of the affidavit of the afore-said officer, are already available on the file.

4. I have heard learned counsel for the petitioners as well as learned State counsel in the present petition and have also perused the file carefully.

5. Learned counsel for the petitioners has contended that the petitioners have been got falsely implicated in the instant case due to some misunderstanding between them and the complainant and even otherwise, the complainant has sworn the affidavit Annexure P-7 regarding the sum of Rs.5.5 lac having been paid to him by Sarpanch Tarlok Singh on behalf of petitioners Rupinder Singh and Bittu Singh and thus, by virtue of this affidavit, the parties have already settled their dispute and therefore, the petitioners deserve the relief as prayed for in this petition.

6. However, learned State counsel has argued that the petitioners cheated the complainant by alluring him to pay the above-mentioned huge amount to them, on the pretext of getting the same doubled and the recovery of the said amount is yet to be effected from them and hence, their custodial interrogation is necessary for the afore-said purpose and it being so, this petition be dismissed.

7. As regards the affidavit Annexure P-7 as purported to have been sworn by the complainant, its authenticity, relevance and genuineness can and shall be looked into, evaluated and adjudicated upon by the trial

Court at the appropriate stage during the course of the trial and the same cannot be appreciated and ascertained at the stage of deciding the present bail petition. Further, as mentioned in Annexure P-3, i.e the copy of the Challan presented against the said co-accused of the petitioners, i.e Gurmej Singh, he had got an amount of Rs.2.5 lac discovered in pursuance of his disclosure statement. In these circumstances, the possibility of the requirement of the custodial interrogation of the petitioners for the recovery of the remaining amount, cannot be ruled out.

8. Keeping in view the above-discussed facts and circumstances as well as the gravity of the offence as alleged to have been committed by the petitioners, this Court is of the considered opinion that they do not deserve the relief of pre-arrest/anticipatory bail. Resultantly, the petition in hand stands dismissed.

25th July, 2022
seema

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>