

203-A

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33934-2021 (O&M)

Date of Decision: 17.01.2022

Sukhjot Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jaideep Verma, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.0025 dated 02.02.2021, registered under Section 420 IPC and Section 24 Immigration Act at Police Station Sarab Nagar, Ludhiana, Commissionerate, Ludhiana. The petitioner apprehends his arrest at the hands of Police, in the above FIR.

The FIR was registered on the statement of complainant Samardeep Singh and the allegations as noticed by the Id. Addl. Sessions Judge, Ludhiana in the order dated 12.08.2021 are as under:

“The case of the Investigating Agency, in nutshell, is that complaint was lodged by complainant Samardeep Singh son of Kuldeep Singh, resident of H.No. 18, Panchsheel Vihar, Badewal, Ludhiana. Samardeep Singh contacted with Aman Singh @ Ricky, who is resident of Pink Park, Magnet Resort Road, Badewal Ludhiana, through his mother Upasana, who offered a job in Canada with a work permit. For this he demanded Rs. 24,00,000/-. Out of this amount Rs. 1,00,000/- was paid in advance as a security and Rs. 11,00,000/- after reaching at Canada and rest amount was paid to him from the job. On 01.07.2019 Aman Singh paid Rs. 1,00,000/- cash to the office at Magnet Resort Road, Badewal Ludhiana. Then they

said that your job will be posted at the port. Then one of his men Sukhjit Singh @ Guru sent you a seamen book whatsapp stating that it would take you to a job in a port company in Qatar. Then they told him that it was not through a job but through the Armenian Country college via Bahamas Country PR and then sent to Canada through employment. Then they received Rs. 25,000/- from him to apply for business visa to Russia which they did not bring. On 27.11.2019 they hired Air Arabia flight No. G9436 (PNR No. 62477508) from Raman Enterprises Nakodar bearing Mobile No. 9988778393 and reached us Armania country, where he resided in one house and an amount was charged USD \$3000 from the complainant to Smt. Aarti Karan Bhai Patel, resident of Baroda, Gujrat. Then they courier the passport to Bahamas and said that within 15 days you were going to Bahamas. Then they started giving us excuses. After one month later in December they told us that the digital visa is starting from the new year and we are getting some days visa which will end on 31st December. In February they demanded Rs. 1,50,000/- for air ticket to go to Bahamas and they given us account number of Sanmen Kiran Bhai Patel to deposit the amount. Then they again deposited the amount of Rs. 3,50,000/-. In March Corona Pandemic was started and we stayed at PG. Then he demanded rent for PG from them but they refused to pay the amount and the total bill of the PG was 3750 \$. Then they promised him to send to Dubai which they did not fulfill. The flights that were coming to India in the month of Jule, we told them that we were sent to India in these flights but they did not do this. They told that they were doing the business of making the mask in Gujrat, so they did not have money and then I book the Air India flight ticket with his own money. When he returned to India, he met Aman Singh @ Ricky to get his money back and he and his accomplice Deep Grewal threatened to kill him and his mother. On his complaint, the inquiry was conducted and the present FIR was registered against applicant and co-accused.”

Learned counsel for the petitioner has argued that as co-accused of the petitioner, namely, Sanmay Patel has already been granted the concession of pre arrest bail, therefore, the petitioner also deserves the similar concession.

At this stage, learned State counsel, on instructions from ASI Rajinder Kumar, has stated that in fact the petitioner Sukhjit Singh was arrested in this case on 25.07.2021 and when he was being brought to the Punjab State, he managed to escape. According to him, in this regard, a

case FIR No.17 dated 26.07.2021 has already been registered against the police officials for the offence punishable under Section 224 IPC at Police Station Meghnagar, District Indore.

Learned counsel for the petitioner does not dispute this fact of registration of FIR regarding escape of the petitioner. According to him, after the arrest of the petitioner, he was kept in a hotel and the police officials after taking money from him, allowed his release.

After hearing the learned counsel for the parties and considering the above background, particularly the conduct of the petitioner, who after his arrest in the said FIR, escaped from the police custody and is yet to be apprehended.

Resultantly, this Court does not find it to be a fit case for extending him extra ordinary concession of pre arrest bail.

Dismissed.

17.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No