

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

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CRM-M-38728-2022 (O&M)

Date of Decision: 30.08.2022

SEWAK SINGH

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Sukhdeep Kaur, Advocate
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Through the instant petition, the petitioner seeks anticipatory bail in case bearing FIR No.132 dated 12.07.2022, registered under Sections 420 and 120-B IPC, at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the petitioner has nothing to do with the alleged occurrence and has falsely been involved in the present case and that, as per the contents of the FIR, the alleged amount of Rs.6,00,000/-, which was put in a bag, was taken away by saint, namely, Gursewak Singh.

Notice of motion.

On the asking of this Court, Ms. Monika Jalota, Senior DAG Punjab, accepts notice on behalf of the respondent-State and submits that the complainant was working a labourer in the fields of the petitioner and that the petitioner had induced the complainant to arrange an amount of

Rs.11 lakh, on the alluring of earning a huge profit through magic tricks, but the complainant could only arrange an amount of Rs.6 lakh. She further submits that there are serious and specific allegations against the petitioner and thus, he does not deserve the concession of anticipatory bail.

I have heard the learned counsel for the parties.

As per the prosecution version, on 07.01.2022, in the fields of the complainant, where the said Saint, the petitioner and the driver of his car were present; the Saint asked the complainant to put the bag containing money at the given place; chanted some mantras and gave the complainant a coconut and further asked him to pay obeisance on a red cloth, at a little furtherance from the field. When the complainant followed the Saint's dictum, the original currency notes had been replaced by the fake currency notes. Then that Saint came with the petitioner back to the latter's house and asked him to perform rituals for a week by keeping the bag in a separate room. After three days, the complainant got to know about the fraud having been played upon him by the petitioner in connivance with the Saint.

The petitioner had introduced the complainant with said saint and also persuaded him to arrange for money, pursuant where to the complainant had arranged an amount of Rs.6 lakh, which as stated was replaced with fake currency notes by the accused. The involvement of the petitioner in the crime in question, is apparent and thus, his custodial interrogation, to unearth the truth, is required.

In view of the above, the petitioner is not entitled to the concession of anticipatory bail.

Dismissed.

30.08.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

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