

CRM-M-52429-2021 (O&M)

213

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

**CRM-M-52429-2021 (O&M)
Decided on: March 10, 2022.**

Gurdev Singh alias Mangi

.. Petitioners

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sandeep Arora, Advocate, for
for the petitioner.**

Mr.Hittan Nehra, Addl. A.G. Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.13 dated 20.2.2020, under Sections 406 and 420 IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Lambra, District Jalandhar Rural.

Learned counsels for the petitioner has submitted that the petitioner is in custody since 15.10.2021 and the investigation of the case is already complete and challan has been presented on 9.12.2021 and the

CRM-M-52429-2021 (O&M)

matter has since been compromised with the complainant and therefore, the petitioner may be considered for the grant of regular bail. He submitted that as per the allegations contained in the FIR, the petitioner had taken an amount of Rs.2,50,000/- for sending the complainant abroad but the complainant could not be sent.

On the other hand, learned State counsel, has submitted that a detailed reply by way of affidavit of Deputy Superintendent of Police, Sub Division, Kartarpur, District Jalandhar, (Rural) has been filed by the State and by referring to the said affidavit, he has submitted that it is a case where as per the FIR, the petitioner had taken some money i.e. an amount of Rs.2,50,000/- from the complainant for sending him to Greece via Dubai and had also provided him a VISA but when the petitioner went to the entry gate, his VISA and tickets were found to be fake. He further referred to para 5 of the affidavit filed by the State, wherein details of other FIRs against the petitioner has been given. He referred to FIR No.77 dated 11.7.2019, under Sections 406 and 420 IPC and Section 24 of the Immigration Act, wherein the petitioner had committed cheating of Rs.14 lacs with the complainant of that case on the pretext of sending his cousin to USA and FIR No.118 dated 12.12.2012, under Sections 307, 382, 324, 323, 341, 148, 149, 120-B and 506 IPC, subject matter of which pertain to a fight with the complainant of that case and another FIR No.72 dated 25.8.2016, under Sections 406 and 420 IPC, vide which again a similar kind of offence was committed by the petitioner wherein he had taken an amount of Rs.3 lacs from the complainant of that case on the pretext of sending him to Spain and to one

CRM-M-52429-2021 (O&M)

another FIR No.165 dated 22.10.2019, under Sections 406 and 420 IPC and Section 13 of the Punjab Travel Professional Act, in which he had taken a sum of Rs.2,60,000/- from the complainant of that case on the pretext of sending him to Cyprus. Learned State counsel submitted that the petitioner was involved in sending people abroad to different countries by way of illegal methods and in the present case, he had rather provided a fake VISA to the complainant and considering the antecedents of the petitioner, he does not deserve the concession of regular bail. He further submitted that mere fact that petitioner has filed a petition for quashing of FIR based upon compromise would not entitle the petitioner for the grant of regular bail.

I have heard the learned counsel for the parties.

It is a case where the allegations against the petitioner are not only serious but they are having effect on the society at large. The allegations against the petitioner were that he had taken an amount of Rs.2,50,000/- from the complainant on the pretext of sending him to Greece via Dubai and when the complainant had gone to the airport as per the FIR, then the VISA given by the petitioner was found to be fake. As per the affidavit filed by the State, the petitioner is also involved in similar kind of number of other cases pertaining to sending complainants of those cases to different countries. Although the investigation of the case is already complete and challan has been presented on 9.12.2021 but as per the learned State counsel, the charges have not been framed and no prosecution witness has been examined. Considering the seriousness and gravity of the matter and that the petitioner is involved in a number of other cases of similar kind,

CRM-M-52429-2021 (O&M)

this Court does not deem it fit and proper to grant regular bail to the petitioner. Consequently, finding no merit in the present petition, the same is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petitions.

March 10, 2022.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No