

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 208

CRM-M-4726-2023

Date of decision : 01.03.2023

Vipan Kumar

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.D.J.Bhoriwal, Advocate, for the petitioner.

Mr.Arun Luthra, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.2 dated 06.01.2023 registered under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station Joga, Mansa, District Mansa.

Satpal Sharma filed a complaint with the police as per which the petitioner and his wife-Veera Kaur met him in connection with getting a job for his nephew-Harvinder. The petitioner told the complainant that he and his wife were having contacts in the office of Food Corporation of India, Delhi (for short, FCI) through whom they had already got selected many persons in FCI. In August, 2020 the complainant's nephew received a call from the petitioner informing him that FCI had sought applications for appointment to the posts of Assistant Grade-III and demanded Rs.12 lakhs for getting the complainant's nephew recruited against such advertised posts. After negotiations the deal was struck for Rs.10 lakhs in pursuance whereof Rs.2 lakhs was received by the petitioner and his wife, Jaswinder Singh @ Banti and Gurpreet Singh @ Kala. Thereafter, on 27.08.2020, the petitioner alongwith his wife and the aforesaid co-accused came to the complainant's village and after demanding and

receiving Rs.8 lakhs from the complainant's sister-Paramjit Kaur, handed over to her the appointment letter through which the complainant's nephew had been offered appointment in FCI. On 05.09.2020 the complainant's nephew was got medically examined and thereafter, he was sent for training. However, he was not allowed to join and inquiries made by the complainant revealed that the appointment letter handed over by the petitioner was a forged document.

The above complaint formed the basis of the FIR in question.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; in fact, the petitioner is the whistle blower as an FIR for fraud stands registered at the behest of the petitioner's brother-in-law against the co-accused in the present case and that in an FIR containing similar allegations the Supreme Court has granted to the petitioner interim stay of arrest.

Per contra, learned State counsel submits that in addition to the present case the petitioner faces three other criminal cases of similar nature; he has been declared a proclaimed offender in one of the cases that he faces and that in the FIR in question the petitioner faces direct allegations of fraud and forgery.

Learned counsel for the parties have been heard and with their able assistance the record of the case has also been perused.

The petitioner and his co-accused are alleged to have received Rs.10 lakhs from the complainant/his sister in lieu whereof a forged appointment letter was handed over to the complainant's nephew with regard to his appointment in FCI. These allegations are serious and need a deep probe.

The petitioner faces four FIRs containing allegations of similar nature. Thus, his antecedents are not good.

The petitioner has also been declared a proclaimed offender.

In the light of the above, this Court is of the opinion that the petitioner does not deserve the grant of anticipatory bail. His custodial interrogation is considered necessary.

Dismissed.

It is clarified that the above observations have been made only for the limited purpose of deciding the present anticipatory bail application and the same would not be construed to be an expression of opinion on the merits of the case.

01.03.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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