IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-10947-2023
DATE OF DECISION: APRIL 13, 2023

Pawandeep Singh

…Petitioner

Versus

State of Punjab

… Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. H.K. Brinda, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

Vivek Puri, J.

1. The petitioner is seeking anticipatory bail in the case bearing FIR No. 6, dated 10.01.2023, under Sections 420/406/120B of the Indian Penal Code (for short `IPC', registered at Police Station Kiratpur Sahib.

2. Briefly, the FIR has been registered on the allegations that a complaint was received from M/s SML Isuzu Company to the effect that Anwar Khan, co-accused, is the current employee and the petitioner is an Ex-employee of the said company. They have duped many persons by taking money from them and issuing false appointment letters for the complainant company. It has been further alleged that another complaint was received against the petitioner and others from various persons alleging that the money was received by them for the purpose of providing employment and fake joining letters, salary slips, etc were issued.

3. Learned counsel for the petitioner contends that the petitioner is not an employee of the complainant company and as per the allegations, a sum to the tune of Rs. 10,80,900/- has been deceitfully received. The petitioner is ready and willing to return the said amount. Furthermore, the amount, if any, has been received by Anwar Khan, co-accused.

4. On the contrary, learned State counsel has opposed the bail application on the score that there are categoric allegations to the effect that the petitioner is an Ex-employee of the complainant company. The petitioner along with the co-accused has duped about 110 persons, extracted money from them on the pretext of providing employment and had even issued fake appointment letters. The petitioner and co-accused had created fake letterheads of the company and have played fraud with the company as well as 110 unemployed youths. No amount has been returned by the petitioner. It has been further submitted that the petitioner had deposited the amount of Rs.10,80,900/-, which was deceitfully obtained, in the account of co-accused Anwar Khan and later on got transferred Rs.8,15,104/- from the account of co-accused Anwar Khan by way of different transactions, which has been established from the statement of account No. 50377791669 of the petitioner maintained in Indian Bank, Branch Dashmesh Nagar, Rupnagar.

5. The material on record is indicative of the fact that the petitioner along with the co-accused had lured gullible, vulnerable and aspiring students, unemployed youths and common people and extracted amount to the tune of Rs. 10,80,900/- on the pretext of providing employment in M/s SML ISUZU Limited. Furthermore, the petitioner had

also forged the appointment letters, salary slips, etc. The amount is alleged to have been collected from about 110 persons. There is nothing on record to indicate that the petitioner has returned any amount. Even the reply submitted by the State indicates that the amount has been transferred in the account of the petitioner by way of different transactions. The anticipatory bail can be granted, in the event, extra ordinary circumstances are made out.

6. Keeping in view the gravity of the allegations and other circumstances appearing on record, no extra ordinary circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

7. Petition is, accordingly, dismissed.

April 13, 2023 **(Vivek Puri)**
vkd **Judge**

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